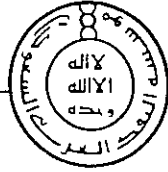


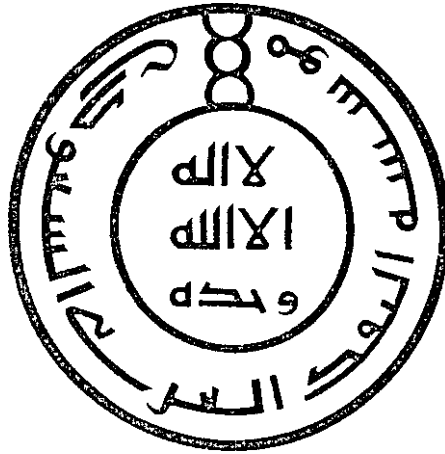
# **Al Rajhi Bank**

## **Ex. 67**



مؤسسة النقد العربي السعودي  
مراقبة البنوك

SAUDI ARABIAN MONETARY AGENCY  
BANKING CONTROL



دليل مكافحة  
عمليات غسل الأموال

GUIDELINES FOR PREVENTION  
OF  
MONEY LAUNDERING



بسم الله الرحمن الرحيم

## مؤسسة النقد العربي السعودي المركز الرئيسي

مكتب المحافظ

الرقم : ١٠٤١٨ / م أ ت / ٤٦٢

الرفقات : ( ١ + نسختين )

الرياض في ، ٢٤ / ٨ / ١٤١٦ هـ

الموافق : .....

### تعميم لجميع البنوك العاملة بالملكة

المحترم

سعادة /

بعد التحية :

### الموضوع : دليل إرشادات مكافحة عمليات غسل الأموال

بالإشارة إلى الإتفاقيات الدولية حيال مكافحة غسل الأموال المتأتية من النشاطات غير المشروعة ومنها اتفاقية الأمم المتحدة لعام ١٩٨٨م المصادق عليها من قبل المملكة والتوصيات الأربعين الصادرة عن فريق العمل المالي التابع للأمم المتحدة عام ١٩٩٠م والإرشادات الصادرة من لجنة بازل وخاصة ما يتعلق منها بمكافحة غسل الأموال المرتبطة بتجارة المخدرات غير المشروعة . ولاهمية ذلك الموضوع على مستوى العديد من الحكومات والسلطات القانونية والجهات الإشرافية المصرفية لخطورة تلك الأنشطة لأنه يتم خلالها تداول مليارات الدولارات سنوياً وبشكل يسمح لهذه المبالغ الكبيرة بحرية الحركة والتحويل من خلال المساعدة التي قد تكون غير مقصودة من البنوك والمؤسسات المالية في النظام المصرفي الدولي.

فإن مؤسسة النقد العربي السعودي وبموجب المادة السادسة عشر من نظام مراقبة البنوك قامت بإصدار الدليل المرفق لمساعدة البنوك على تجنب تنفيذ العمليات غير المشروعة، وللمحافظة على سلامة وسمعة النظام المصرفي في المملكة. كما يقدم هذا الدليل المعلومات الأساسية عن هذا الموضوع بجانب المعلومات عن الإجراءات اللازم اتخاذها لمكافحة عمليات غسل الأموال والكشف عنها وضبطها.

ولذا فإن على كافة البنوك تطبيق ما جاء بهذا الدليل وتعديل أنظمتها وإجراءاتها الداخلية بما يتوافق معه.

وتقبلوا تحياتي ،،،

المحافظ

حمد سعود السيارى

١٧١/ع



**Saudi Arabian Monetary Agency  
HEAD OFFICE**

The Governor  
1995

FACSIMILE MESSAGE

November

From : Saudi Arabian Monetary Agency –H.O Riyadh

To: All Banks

Attn: Managing Directors and General Managers

Subject: Guidelines for Prevention and Control of Money  
Laundering Activities

As you are aware, money laundering activities particularly those related to drugs are a major concern to many governments, law enforcement agencies and banking supervisors. Such activities now constitute a multi-billion dollars business annually, and these vast sums cannot be stored or moved without the cooperation or unwilling participation of international banks. In recent years many International cooperation initiatives have been taken to combat these activities such as the 1988 UN Convention Against Illicit Traffic in Narcotics Drugs, the 1990 Report of Financial Action Task Force of OECD countries and the 1991 Basle Committee Guidelines for International Banks.

Saudi Arabian Monetary Agency is issuing these Guidelines under Article 16 of the Banking Control Law, with a view to strengthen the ability of Banks to counter illegal transactions and to maintain and enhance the credibility and reputation of the Saudi Banking System. These Guidelines provide basic information on the subject, along with information on measures to be taken for prevention, control and detection of money laundering activities. Banks are required to make these an integral part of their own systems and procedures and to fully implement these as soon as possible.

**Hamad Al Sayari**

FK\*



## GUIDELINES FOR PREVENTION AND CONTROL OF MONEY LAUNDERING ACTIVITIES THROUGH THE BANKING SYSTEM

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## 1. Introduction:

By all accounts, world-wide money laundering activities, particularly those related to drugs, now constitutes a multi-billion dollar business annually. However, money laundering could also encompass funds derived from theft, blackmail, extortion, terrorism and other criminal activities. It is inconceivable and unlikely that such large amounts of money can be stored or moved without the cooperation or unwitting participation of many international banks and banking systems. In many quarters, money-laundering is considered as a serious threat to the integrity of many international banks and even some banking systems.

During the past few years, money laundering has become a widespread phenomenon involving highly sophisticated techniques to penetrate different banking systems. This has led the law makers, law enforcement agencies and supervisory authorities in many countries to co-operate, locally and internationally, to combat such a phenomenon. In this respect the Financial Action Task Force formed by the G-10 countries to combat money laundering has carried out extensive work and issued forty recommendations to counter the spread of money-laundering.

In recognition of international legal and supervisory efforts to combat the spread of money-laundering, the Agency has prepared these Money Laundering Control Guidelines which provide basic information on the subject, along with information on measures to be taken for prevention, control and detection of money laundering activities. Banks are required to make these Guidelines an integral part of their own systems and procedures aimed at detecting and controlling such illegal activities. The objectives of the Agency in issuing these Guidelines are as follows:

1. To help Saudi Banks to comply with the Banking Control Law and SAMA regulations.
2. To prevent Saudi Banks from being exploited as channels for passing illegal transactions arising from money-laundering and other criminal activity.
3. To maintain and enhance the credibility and reputation of the Saudi Banking System.

## 2. Process of Money laundering

Money laundering is normally a three staged operation. These stages are:

أولاً: مقدمة :

تشكل عمليات غسل الأموال على مستوى العالم وخاصة التي ترتبط منبها بتجارة المخدرات نشاطاً تجارياً يصل حجم الأموال المتداولة فيه إلى مليارات الدولارات، ولعله من غير المعقول أن يتاح لهذه المبالغ الكبيرة حرية الحركة والتخزين بدون معاونة البنوك والجهاز المصرفي أو اشتراكهما غير المقصود في عمليات غسل الأموال التي تعتبر خطراً عظيماً يهدد نزاهة كثير من البنوك العالمية وحتى بعض الأنظمة المصرفية.

وقد أدى تطور قضية غسل الأموال خلال السنوات الماضية إلى أن تصبح مكافحتها من أولويات الجهات التشريعية والرقابية والإشرافية في كثير من دول العالم، وقد أدى ذلك إلى زيادة التعاون في المستويين المحلي والعالمي. وقد أصدر فريق العمل المالي الذي أسسته مجموعة البلدان العشرة (C - 10 Countries) توصياته الأربعين لهذا الخصوص.

واعترافاً بالجهود القانونية والإشرافية العالمية لمكافحة انتشار عمليات غسل الأموال، قامت مؤسسة النقد العربي السعودي بإصدار دليل مكافحة عمليات غسل الأموال والذي يحتوي على المعلومات الأساسية في هذا الموضوع بجانب المعلومات عن الإجراءات التي يجب اتخاذها لمكافحة عمليات غسل الأموال والكشف عنها وضبطها، وعلى البنوك تبني هذا الدليل وجعل التوجيهات الواردة فيه جزءاً من أنظمتها وإجراءاتها الداخلية بهدف الكشف عن هذه الأنشطة غير المشروعة ومكافحتها وتتلخص أهداف المؤسسة من خلال إصدار هذا الدليل فيما يلي:

أ - المساعدة على ضمان تقييد البنوك بقانون وأنظمة الرقابة على البنوك.

ب - المساعدة على تجنب وقوع البنوك ضحية لعمليات الاحتيال وغسل الأموال والأنشطة الأخرى غير القانونية.

ج - المحافظة على سمعة البنوك والنظام المصرفي السعودي.

ثانياً : كيف تتم عملية غسل الأموال :

من المعلوم أن عملية غسل الأموال تمر بثلاث مراحل هامة تبدأ بمرحلة الإحلال PLACEMENT حيث يقوم المجرم أو تاجر الأذونات بمحاولة إدخال الأموال النقدية المتحصل عليها من نشاطه



1. Placement: The criminal or drug dealer places the funds obtained through illegal activities in the banking system.
2. Layering: The criminal or drug dealer aims to cover up the source of the funds obtained and disguises the relation between these funds and its illegal source through a series of normal commercial transactions.
3. Integration: The laundered funds become part of other legal funds in the economy so that it is difficult to differentiate between the laundered funds and those from legal sources. Money laundering transactions are carried out through different methods. These include the decompounding process when large amounts are apportioned into smaller ones so that they are deposited in the bank without raising suspicion. The methods also include internal collusion of bank employees and other processes such as money transfers, acquisition of assets (real estate, shares etc.), purchase of cash instruments (e.g. travellers' and bankers' cheques), electronic or telex transfers, deposits via ATMs or placements of the fund through fictitious companies established for that purpose. While all these methods are used, electronic or telex transfers are the most common methods by which criminals and drug dealers launder their funds.

### 3. Legal Responsibility of Banks:

The Saudi Arabian Monetary Agency has the authority under Article 16 (3) of the Banking Control Law, to issue general rules with the approval of the Minister of Finance and National Economy regarding various matters, including the fixing of terms and conditions which banks should take into consideration when carrying out certain types of transactions for their customers.

Over the years, the Agency has issued a number of circulars that were aimed at encouraging banks to immediately report any suspicious or unusual transactions to the authorities and the nearest police station. These Circulars are listed hereunder:

Circular No.	Date
MIA198	16-5-1403 H.
3151/M/A/71	14-3-1407H.
M/A/61	19-3-1408 H.
MIA/73	19-12-1409 H.
4521MIA/10	10-1-1411 H.
M/A/3028	21-9-1413 H.

Under the provisions of the Banking Control Law and these regulations a Bank

غير المشروع في النظام المصرفي، يلي ذلك محاولة طمس علاقة هذه الأموال مع مصادرها الإجرامية وذلك عن طريق العديد من العمليات المالية المصرفية المتتالية فيما يدعى بمرحلة التغطية LAYERING وأخيراً تأتي مرحلة الدمج INTEGRATION حيث تدمج الأموال المغسولة في الاقتصاد ويصبح من الصعوبة التفريق بينهما وبين الأموال من مصادر شرعية.

وأثناء تنفيذ المراحل الثلاث السابقة قد يتم استغلال البنوك بعدة أساليب منها أسلوب (التركيب) حيث يجرى المبلغ الكبير إلى مبالغ صغيرة حتى يسيل إيداعها في الحسابات المصرفية دون إثارة أية شبهة، وهناك أيضاً التواطؤ الداخلي من قبل موظف البنك لتسهيل عملية الغسل وأيضاً التحويل البنكي وشراء الموجودات كالعقارات والأسهم أو شراء الأدوات النقدية كالشيكات المصرفية والسياحية وأيضاً التحويلات المالية الإلكترونية أو التلكسية واستغلال مكانن السحب الآلي في الإيداع أو خلق شركات وهمية يتم التعامل مع البنوك عن طريقها.

والأساليب المستخدمة لغسل الأموال كثيرة إلا أن أسلوب التحويلات المالية الإلكترونية والتلكسية هو أكثرها شيوعاً.

### ثالثاً: المسؤولية القانونية للبنك :

تعطي الفقرة الثالثة من المادة (١٦) من نظام مراقبة البنوك وبعث موافقة معالي وزير المالية والاقتصاد الوطني المؤسسة سلطة إصدار قوانين عامة تتعلق بمواضيع شتى تتضمن إقرار بنود وتحديد شروط يستوجب على البنوك أخذها في الاعتبار عند تنفيذها لبعض أنواع العمليات لصالح عملائها.

وقد دأبت المؤسسة ومنذ فترة طويلة على حث البنوك للتبليغ عن أية عمليات مالية مشتببه فيها أو تبدو غير طبيعية إلى أقرب قسم للمباحث الجنائية أو الشرطة وبأسرع وسيلة متوفرة، وقد جاء ذلك في التعاميم الموجبة من المؤسسة للبنوك ومنها ما يلي:

رقم التعميم	تاريخه
٩٨/١/م	١٤٠٢/٥/١٦هـ
٧١/١/م/٣١٥١	١٤٠٧/٣/١٤هـ
٦١/١/م	١٤٠٨/٣/١٩هـ
٧٣/١/م	١٤٠٩/١٢/١٦هـ
٤٥٢/١/م/١٠	١٤١١/١/١٠هـ
٢٠٢٨/١/م	١٤١٣/٩/٢١هـ

وبموجب نظام مراقبة البنوك والتعليمات ذات العلاقة فإن البنوك تكون مسؤولة عن الأعمال التي يقوم بها موظفوها أثناء تأديتهم



shall be held responsible for the action or inaction of its employees, including their failure to notify the concerned authorities of any suspected money laundering transactions. If it is proven that a Bank or its employees failed to comply with these Circulars, they shall be subjected to penalties prescribed under Article 23 paragraph 5 of the Banking Control Law.

Furthermore, employees who facilitate money laundering transactions by either being directly involved in these transactions or by intentionally not notifying concerned authorities for personal benefits shall be subject to Article 24 of the Banking Control Law, and penalties specified under Article 23 paragraph 5. In addition, employees who facilitate money-laundering transactions are also subject to Article 83 of the Saudi Arabian Labour Law issued under Royal Decree No. M/21 dated 6-9-1389 H. which prescribes cases when an employer may terminate the service contract of his employee without prior notification. These cases include; failure to fulfill obligations under his contract of service failure to comply with legitimate instructions; commission of a dishonorable act; commission of an act to cause a loss to an employer either intentionally or by negligence; etc.

The Agency considers Article 23 of the Banking Control Law as unimportant element in prevention of the use of Banks for money laundering activities. The Agency, expects that Banks will also impose other penalties against any employee who is proven to be involved in a money laundering transaction, or in facilitating such a transaction or for his failure in notifying the concerned authorities when he came across a suspicious transaction.

#### 4. General Policy Requirements

1. Detection and Prevention: Saudi Banks should train and educate their employees to enhance their understanding of money-laundering and its relationship with criminal activities. As employees become familiar with such activity, they can play an effective role in combating money laundering through prevention and detection measures.
2. Deposit or Fund Taking Saudi Banks should take care when accepting deposits or other funds. If it is suspected that a deposit is, or forms part of funds obtained through illegal activities, then these funds should be accepted in the normal manner, following correct procedures. Under no circumstances should

لأعمالهم ومنها عدم إبلاغ السلطات المختصة عن أية عمليات يشتبه بأنها غسل أموال رغم تعليمات المؤسسة المشددة الصادرة بهذا الخصوص، وفي حال ثبوت عدم تقيد البنك أو موظفوه بما ورد في التعاميم السابق ذكرها تطبق العقوبات الواردة في الفقرة الخامسة من المادة الثالثة والعشرين من نظام مراقبة البنوك، وأما بالنسبة لموظفي البنوك الذين يسهلون عملية غسل الأموال إما بالمشاركة فيها بشكل مباشر أو عن طريق تعمد عدم التبليغ عن الاشتباه بتلك العمليات بهدف تحقيق مصلحة ذاتية رغم علمهم بوجوب التبليغ فإنهم يخضعون طبقاً للمادة (٢٤) من نظام مراقبة البنوك للعقوبات المنصوص عليها في الفقرة الخامسة من المادة (٢٣) من نفس النظام. كما يخضع هؤلاء الموظفون للمادة (٨٢) من نظام العمل والعمال الصادر بموجب المرسوم الملكي رقم م/٢١ وتاريخ ١٣٨٩/٩/٦هـ والتي تورد في نصها الحالات التي يجوز فيها لصاحب العمل فسخ العقد للموظف المعني بدون سابق إخطار، ومن هذه الحالات:

- إذا لم يقم الموظف بتأدية التزاماته المترتبة عليه بموجب عقد العمل أو إثبات التعليمات الشرعية.
  - إذا ثبت اتعابه سلوكاً سيئاً أو ارتكابه عملاً مخالفاً بالشرف والأمانة.
  - إذا ارتكب عمداً أي عمل أو تقصير نتج عنه إلحاق خسارة مادية بمساحب العمل.
- ويعتبر نص المادة الثالثة والعشرين من نظام مراقبة البنوك عنصراً مهماً في مكافحة عمليات غسل الأموال عن طريق استغلال الجهاز المصرفي في ذلك.
- كما تتوقع المؤسسة أن تقوم البنوك بفرض العقوبات اللازمة والمناسبة بحق الموظف الذي يثبت ضلوعه في عملية غسل أموال أو تسهيل لإحدى هذه العمليات أو عدم التبليغ عن اشتباهه بها مع وجود موجبات هذا الاشتباه.

#### رابعاً : إرشادات عامة :

##### ١ - الكشف عن عمليات غسل الأموال ومكافحتها

على البنوك السعودية تدريب وتعليم موظفيها لتعزيز معرفتهم حول عمليات غسل الأموال وارتباطاتها بالأنشطة الإجرامية حتى يتم الحرص من الموظف وإدراك مدى الخطورة التي قد يكون مصحوباً بها نتيجة لأن الأموال المغسولة تم تحصيلها من أنشطة غير شرعية، وذلك حتى يلعبوا دوراً في مكافحة عمليات غسل الأموال.

##### ٢ - عمليات الإيداع والسحب

على البنوك السعودية الإبلاغ عند قبول أية ودائع لأموال يشتبه بأنها متأتية نتيجة أعمال غير قانونية أو بصورة غير شرعية





the customer be alerted to any suspicion. The suspicious deposit should be reported to the Police and SAMA and no transfers or withdrawals should be allowed from account until authorized by the Police or SAMA.

3. Cooperation: Saudi Banks should cooperate, locally and internationally to combat money-laundering through exchange of information with banking supervisors and appropriate law enforcement agencies, when they discover or suspect money laundering transactions. However, at the same time they must follow the legal and regulatory procedures that are aimed to protect customer confidentiality and banking secrecy.
4. Encourage Crime Prevention: Saudi Banks should encourage their clients to use non-cash payment instruments such as cheques and credit cards. They should develop modern technologies to prevent criminal use of banks and help their customer use such technologies.
5. Internal Directives: Saudi Banks and their foreign branches if any, are required to follow these instructions and to issue internal directives for use by their employees. Where local money laundering legislation has been established then it must be adhered to.

## 5. Specific Policies and Guidelines

### 5.1. Internal Control Systems

1. A Bank should design and develop internal control systems to combat money laundering transactions. Such systems should include detailed written policies and procedures for preventing the use of the Bank's branches and operations by money launderers and for detecting such transactions.
2. These policies and procedures should include special instructions on money laundering and in particular emphasize the "know your customer" principle.
3. A Bank should develop a system for internal reporting of transactions and account movements that could facilitate detection of such transactions. A Bank should use specialized software that is available in the market to detect unusual patterns of transactions and trends to indicate criminal activities. These normally include the following:
  - i. Report of movements and balance in current accounts for all customers and employees. These reflect all account movements and balances during a specified

## ٢ - التعاون

على البنوك السعودية التعاون فيما بينها ومع البنوك الخارجية في مجال مكافحة غسل الأموال وذلك عن طريق تبادل المعلومات حول حالات غسل الأموال التي تم اكتشافها والمعاملات المشتبها بها، على أن يكون ذلك ضمن حدود الإجراءات القانونية وصيانة وسرية المعلومات الخاصة بها.

## ٤ - تشجيع مكافحة غسل الأموال

تشجيع البنوك لعملائها على استخدام الأدوات غير النقدية في معاملاتهم مثل الشيكات وبطاقات الدفع وذلك عن طريق تطوير تقنيات حديثة وأمنة لإدارة الأموال وتوفيرها للعملاء.

## ٥ - التوجيهات الداخلية

يجب الأخذ بهذه الإرشادات من قبل البنوك السعودية سواء لفروعها المحلية أو الخارجية إن وجدت، وعليها الحرص في تطبيقها وإصدار التعليمات الداخلية لتنفيذها.

## خامساً : سياسات وتعليمات خاصة

### (١) نظام الرقابة الداخلية للبنك

١ - على البنك إيجاد نظام رقابة داخلية جيد لمكافحة عمليات غسل الأموال، ويتضمن هذا النظام السياسات والإجراءات المكتوبة التي تكفل عدم استخدام فروع البنك وعملياته من قبل غاسلي الأموال والكشف عن مثل هذه العمليات.

٢ - يجب أن تتضمن السياسات والإجراءات المذكورة توجيهات خاصة حول عمليات غسل الأموال وخصوصاً تلك التي تؤكد مبدأ "أعرف عميلك".

٣ - تصميم نظام محكم للتقارير الداخلية الصادرة عن عمليات البنك والتي تساعد لهذا الغرض، ومن هذه التقارير المقترحة ما يلي:

- تقارير حركات وأرصدة الحسابات الجارية: وتشمل جميع الحسابات بالبنك سواء للعملاء أو للموظفين، وتبين هذه التقارير جميع حركات كل حساب خلال فترة زمنية محددة (شهر أو كل ثلاثة أشهر) سواء كانت إيداعاً أو سحباً



period (month or quarter), identifying each transaction and the relevant dates. This enables any extra-ordinary or unusual transaction to be detected easily.

- ii. **Bank Draft Report:** This should include all incoming, outgoing local and international drafts. The amount and currency of each draft, means of payment by customer, and correspondent bank should be noted. The draft report should reflect the number of transactions and values with every correspondent bank and highlight any significant increase in such transactions.
- iii. **Significant Transactions Report:** This should include all telegraphic transfers affected via telex, Swift and other means. The amount, currency, correspondent bank, and the beneficiary must be noted. The report should highlight number of transactions, and values for each correspondent bank, and highlight any trends etc.
- iv. **Significant Transactions Report:** These should include all transactions which exceed SR. 100,000. Significant transactions report should identify accounts to which these transactions are related and the sources of these large amounts.
- v. **Report of Minor Amounts:** These are special reports which identify certain patterns of small transactions that are aimed at detecting money laundering through either cumulating of minor amounts into a large balance or transfer or conversely apportioning of a large amount into minor transactions to evade suspicion.
4. The internal audit and control units in the Bank should ensure that bank employees at all levels and in all areas are following the Banks' policies and procedures for combating money-laundering.

## 5.2. Know Your Customer:

In general, this principle is aimed at ensuring that Banks are fully knowledgeable about their customers and are aware of their bank dealings. The application of this principle should not affect the relationship of a Bank with its reputable customers. Banks should apply the following procedure for implementing this principle.

- i. No account should be opened or banking services provided for customers without proper identification or under fictitious names.

نقدياً أو بشيكات. كما تتضمن أرصدة الحسابات في نهاية الشهر ومعدل الرصيد خلاله وعدد العمليات المنفذة، وبالتالي يسهل التعرف على أي نشاط غير طبيعي في هذه الحسابات.

### • تقارير الحوالات :

تشمل جميع الحوالات الواردة أو الصادرة، الداخلية والخارجية وتحدد مبلغ كل حوالة والعملية المستخدمة وطريقة دفعها سواء نقداً أو بشيك ولكل عميل على حدة، كما توضح حجم التعامل مع كل بنك مراسل وأية زيادات كبيرة في حجم هذا التعامل.

### • تقارير حركة وأرصدة حسابات المراسلين :

تشمل جميع الحوالات البرقية المنفذة بواسطة التلكس أو نظام السويفت أو أي وسيلة أخرى . وتحدد فيه المبلغ والعملية والبنك المراسل واسم المستفيد ، كما يوضح عدد وحجم التعامل مع كل بنك مراسل ويبين أي تغييرات أخرى

### • تقارير العمليات الكبيرة :

وتشمل جميع العمليات التي تتجاوز مبلغ (١٠٠.٠٠٠ ريال سعودي) حيث تستوجب مثل هذه العمليات عناية وتدقيقاً أكثر، وتساعد هذه التقارير في معرفة الحسابات التي يجري فيها مثل هذه العمليات، وبالتالي معرفة مصدر هذه المبالغ الكبيرة.

### • تقارير العمليات ذات المبالغ الصغيرة :

وتشمل جميع العمليات ذات المبالغ الصغيرة وتساعد هذه التقارير على معرفة المبالغ الكبيرة التي تم تكوينها عن طريق تجميع مبالغ صغيرة أو العكس، كما تساعد على معرفة العملاء الذين يحولون مبالغ كبيرة عن طريق تجزئتها إلى مبالغ صغيرة تجريباً من إثارة الشبهة.

٤ - يجب أن تتأكد وحدتنا المراجعة الداخلية والمراقبة في البنك من اتباع جميع موظفي البنك وعلى كافة مستوياتهم لسياسات وإجراءات البنك فيما يخص بمكافحة عمليات غسل الأموال.

## (٢) التعرف على العميل

يهدف مبدأ التعرف على العميل بصورة عامة إلى تأكيد إمام البنوك التام بعملائها ومعاملاتهم البنكية، ولكن يجب ألا يؤثر تطبيق هذا المبدأ على علاقة البنك مع عملائه الذين يتمتعون بسمعة جيدة، وفيما يلي الإجراءات الواجب اتباعها من قبل البنوك لتطبيق هذا المبدأ :

- ١ - حظر فتح أية حسابات مجهولة الهوية أو ذات أسماء مستعارة أو تقديم أية خدمة لمثل هؤلاء العملاء.
- ٢ - تحديد هوية أي عميل يفتح حساباً جديداً أو لديه علاقة عمل مع العميل.



- ii. Identify any client who opens a new account or has a business relationship with the Bank.
- iii. Identification should be made by reference to proper, official documents in accordance with previous SAMA Circulars regarding customer identification.
- iv. Identification is not limited to customers that have accounts with the banks; it should also include those who benefit from other bank services such as renting of safety deposit boxes and large cash transfers and foreign exchange transactions.
- v. A copy of customer's identification documents should be obtained by the bank when a new account is opened, a major service is rendered, or a large transaction is carried out.
- vi. Bank employees should take note and immediate action (such as informing the Branch Manager) if any customer attempts to conceal his identity during opening of a bank account or a major transaction.
- vii. Periodically (as a minimum every five years) updating of the documentation and information of old account should be carried out.
- viii. If the Bank has any suspicions about the information being given by the customer, it should use other means of verifying such information e.g. verifying home and office telephone numbers by calling such numbers.
- ix. The following procedures should be followed as a minimum where opening a **Personal Account for an individual**:
- \* The Bank should obtain proper identification of the customer as stipulated by SAMA Directives.
  - \* The Bank should seek information on the customer's business, or job title and ascertain the accuracy of such information.
  - \* The Bank should be aware of the sources of customer's deposits, particularly those of significant cash amounts.
  - \* The Banks should seek information on a customer's dealings with other banks with which he deals and seek information from such banks about their dealing with the customer.
  - \* A Bank may identify a customer from its own previous dealings with a customer where he had previously opened a deposit or a loan account with the Bank.
- ٢ - أن يكون تحديد هوية العميل مبنياً على مستندات رسمية لإثبات الهوية حسب ما جاء في تعاميم المؤسسة بهذا الخصوص.
- ٤ - ويشمل تحديد الهوية لكافة العملاء المستفيدين من الخدمات المقدمة من البنك حتى وإن لم يكن لديهم حساب بنفس البنك ومن هذه الخدمات استئجار الخزائن الحديدية والمعاملات النقدية الكبيرة كالحوالات والصرف الأجنبي.
- ٥ - يجب الحصول على نسخة من هوية العملاء سواء عند فتح الحسابات الجديدة أو عند الاستفادة من الخدمات البنكية أو عند تنفيذ عملية كبيرة للعميل.
- ٦ - الانتباه التام لأية عملية غير عادية يقوم بها العميل لإخفاء أو طمس هويته الحقيقية عن موظف البنك عند فتح حساب جديد أو أثناء تعامله مع البنك وإعداد مذكرة بذلك واتخاذ إجراء فوري (مثل إخطار مدير الفرع).
- ٧ - العمل على تحديث البيانات الخاصة بأصحاب الحسابات القديمة وبشكل دوري ومستمر (كل ثلاث سنوات على الأقل).
- ٨ - في حال الاشتباه في مصداقية البيانات المعطاة للبنك من قبل العميل، يجب على البنك محاولة التحقق من صحتها بالطريقة التي يراها مناسبة كالاتصال الهاتفي بالمنزل أو مقر العمل.
- ٩ - ويجب اتخاذ الإجراءات المبينة فيما يلي كحد أدنى عند فتح حساب شخصي أو تقديم أية خدمة لمثل هؤلاء العملاء :
- التعرف على الهوية الحقيقية للعميل بناء على ماورد في تعاميم المؤسسة.
  - معرفة طبيعة نشاط العميل التجاري أو الوظيفي ومتابعة ذلك والتأكد منه.
  - معرفة مصدر الأموال المودعة عند فتح الحساب وخاصة الإيداعات النقدية الكبيرة.
  - تحديد هوية العميل من خلال علاقته مع البنوك الأخرى التي يتعامل معها والحصول على معلومات من هذه البنوك بشأن تعاملهم مع العميل.
  - التعرف على العميل الذي قام سابقاً بالحصول على قرض سابق أو أن يكون له (حساب وديعة مثلاً) لدى البنك.



- \* Where a bank employee provides a reference for the customer, or introduces the customer, the identification procedures should still be fully applied. While employee knowledge of a customer provides additional comfort it should not lead to any compromises in applying specified procedures.
- \* If a customer's mailing address is far from the location of branch where he is opening an account, the Bank should investigate the reasons why the customer has opened an account in that Branch.
- x. Procedures to be followed when opening a Current Account or a Joins Account for a Business Entity:
  - \* The Bank should obtain original documents or authenticated copies which identify the legal identity of the customer, details about its activities etc. as prescribed in the customer agreement.
  - \* The Bank should collect direct or indirect information about the business enterprise from other banks and sources.
  - \* The Bank should ascertain the propriety of the information provided by the enterprise, when opening an account by other means such as ascertaining the address by a telephone call.
  - \* Bank employees should visit the enterprise's location, if possible, to get acquainted with the nature of the enterprise's activities.
  - \* The Bank should know the sources of deposits, specially large cash deposits when an account is being opened.
  - \* The Bank should obtain the following information when an enterprise is opening a significant account:
    - The financial structure of the enterprise and its annual financial statements.
    - Description of the services and business
    - List of significant suppliers, customers and their locations.
    - Description of the geographical coverage where the enterprise carries out its activities.
    - Transactions with internal entities.
  - \* The Bank Branch where a customer has his account shall be responsible for carrying out the above requirements and following instructions, even when their customer may choose the Bank's other branches to carry out transactions. The other Branches must contact the account opening Branch before carrying out such transactions.
- في حالة أن يكون العميل معروفاً من قبل أحد موظفي البنك الموثوق بهم، فإن إجراءات التعريف يجب أن تستكمل.
- في حالة أن يكون عنوان العميل بعيداً عن الفرع، على البنك معرفة سبب فتح الحساب في ذلك الفرع بالذات.
- ١٠ - الإجراءات الواجب اتباعها عند فتح حساب جاري أو حساب مشترك للمؤسسات أو الشركات :
  - التأكد من الحصول على المستندات الحقيقية التي تحدد نوعية المنشأة أو الشركة وطبيعة تكوينها وتأسيسها، كما وردت هذه المستندات في عقد فتح الحساب.
  - الاستفسار عن الشركة أو المنشأة لدى البنوك الأخرى أو أية مصادر أخرى وذلك بشكل مباشر أو غير مباشر.
  - التحقق من صحة البيانات المعطاة من قبل الشركة أو المنشأة عند فتح الحساب كأن يتم التحقق من العنوان عن طريق الاتصال الهاتفي بمقرها.
  - زيارة مقر الشركة أو المنشأة إن أمكن لأهمية ذلك في التعرف على طبيعة عملياتها والأنشطة التي تزاولها.
  - يتوجب معرفة مصدر الأموال المودعة من قبل العميل وقت فتح الحساب وخاصة الإيداعات النقدية الكبيرة.
  - بالنسبة للحسابات الكبيرة للشركات فإن على البنك أن يحصل على المعلومات التالية:
    - التكوين المالي للشركة وقوائمها المالية السنوية.
    - وصف للخدمات والأعمال التي تزاولها.
    - قائمة بأهم الموردين والمتعاملين معها ومواقع أعمالهم.
    - وصف للمنطقة التي تعمل الشركة ضمنها.
    - أية تعاملات مع أطراف ذات علاقة.
- ١١ - يتولى فرع البنك المفتوح فيه حساب العميل مسؤولية التقيد بالمتطلبات والتوجيهات المذكورة حتى عند اختيار العميل فرعاً آخر من فروع البنك لتنفيذ عملياته، على أن يتصل الفرع الأخير بفرع البنك الذي فيه حساب العميل قبل الشروع في تنفيذ عمليات العميل المذكور.



- \* When a customer opens an account on behalf of another person or a joint account, the Branch must seek all appropriate information on both the person opening the account and the account holder.

١٢ - على الفرع الحصول على كافة المعلومات اللازمة عن الشخص الذي يقوم بفتح الحساب والشخص مالك الحساب عندما يقوم العميل بفتح هذا الحساب نيابة عن شخص آخر أو بفتح حساب مشترك.

### 5.3 Referral of Business

1. There is a strong tradition within a Bank of referring business between branches and subsidiaries. Frequently the referring office provides a minimal amount of information about the customer and the commercial rationale of the transaction(s) to the referred office. It is a recognized business objective that the Bank will cross-refer and cross-sell business, but this must be done in such a way as to comply with any local rules regarding "know your customer".

### (٣) تبادل المعلومات

١ - من التقاليد الأساسية السائدة لدى البنوك هو تبادل المعلومات المتعلقة بالأنشطة والأعمال فيما بينها وبين الفروع والشركات التابعة، حيث تقوم هذه الإدارات بتزويد بعضها ببعض بالمعلومات عن عملائها ومدى معقولية عملياتهم التجارية بهدف التعرف على الغرض من هذه الأعمال وذلك من خلال ربطها بالمعلومات المتوفرة والخدمات المقدمة أخذين في الاعتبار احترام الأحكام والقوانين المحلية المنظمة لعمليات "التعرف على العميل".

2. These rules normally require each office to

٢ - تتطلب الأحكام والقوانين المنظمة لعملية "التعرف على العميل" أن تقوم كل إدارة بعمل التالي:

- a). Take all reasonable steps to identify fully customers bonafide, including beneficial customers.  
b). Take all reasonable steps to enable suspicious transactions to be recognized.

١ - اتخاذ كافة التدابير اللازمة لتمييز العملاء المشكوك في تصرفاتهم والعملاء المستفيدين من العمليات المشتبه بها.  
ب - اتخاذ التدابير اللازمة لتوضيح العمليات البنكية المشتبه بها.

3. This includes, without exception, customers referred by other branches and subsidiaries and transactions undertaken and services provided for the benefit of such customers.

٢ - يتضمن هذا البند ودون استثناء العملاء المتبادلين بين الفروع والشركات الحليفة الأخرى، وكذلك المعاملات والخدمات التي تقدم لصالح هؤلاء العملاء.

4. Reasonable steps to enable suspicious transactions to be recognized will include:

٤ - تشمل الخطوات اللازم اتخاذها للتعرف على العمليات المشتبه بها الآتي:

- \* Obtaining a reasonable understanding of the normal character of the customer's business; and

- الحصول على معلومات كافية عن الطبيعة التجارية لأنشطة العميل.

- \* Having a reasonable understanding of the commercial basis of the transaction to be undertaken or service to be provided. What is a reasonable understanding will depend upon the complexity of the business and transactions concerned. For example high value or high volume transactions, especially if the transactions or the customer type is one regarded as high risk from a laundering viewpoint will require customer and transaction information in considerable detail.

- معرفة وفهم الأساس التجاري لكل معاملة أو خدمة مقدمة للعميل.

٥ - حيث تعتمد معقولية فهم المعاملات والخدمات على درجة تعقيد النشاط التجاري أو المعاملة. فعلى سبيل المثال عند ارتفاع قيمة المعاملات أو زيادة عددها، خصوصاً إذا كان العميل (أو العملية) مصنفاً ضمن العمليات ذات الخطورة العالية من وجهة نظر غسل الأموال فإن ذلك يتطلب معلومات عن العميل أو العملية مفصلة بشكل كبير.

5. Relevant information should be obtained from the referring office, who should have obtained such information from the customer before the referral is made. If the party concerned is not banking with the referring office, this

٥ - يجب الحصول على المعلومات الملائمة من الفرع المزود لهذه المعلومات والذي بدوره يجب أن يحصل عليها من العميل قبل إتمام عملية التحويل. أما إذا كان العميل ليس لديه علاقة بنكية





should be clearly stated and the reason for making such referral should be given. This information must include:

مع الطرف المحول فيجب توضيح ذلك والأسباب التي دعت لإجراء تبادل المعلومات بحيث تحتوي هذه المعلومات على الآتي:

أ - اسم العميل وعنوانه كما تم التأكد منه من قبل الفرع أو الإدارة.

ب - نبذة مختصرة عن أعمال وأنشطة العميل والأساس التجاري أو الهدف من العمليات أو الخدمات (تتطلب تحديث هذه المعلومات دورياً في حالة استمرار العلاقة).

ج - تأكيد من الفرع أو الإدارة المبادلة للمعلومات أنه لا يوجد لديه سبب واضح لعدم قبول الأعمال.

٦ - عندما يتم إحالة أعمال من بنك أو فرع بنك أجنبي إلى بنك سعودي، فإنه بالإضافة إلى الإجراءات السابقة يجب على البنك السعودي أن يتحرى من الجدوى التجارية للتحويل ويتحقق ما إذا كانت تتمشى مع النظم واللوائح السعودية أم لا. إذا قرر المكتب الحال إليه بأنه ليس لديه معلومات كافية تمكنه من قبول الإحالة فإنه في هذه الحالة يرفض الأعمال ويرسل إفادة المكتب المحول بذلك.

- a). Customer's name and address as verified by referring office.
  - b). A brief summary of the customer's business, and the business basis or purpose of the transactions or services (for continuing relationships periodic update will be required)
  - c). A confirmation that the office knows of no reason why the referred office cannot accept the business
6. Where a foreign branch, subsidiary or associate refers business to a bank in Saudi Arabia, in addition to the above procedures, the bank should seek full business rationale for the referral, and determine whether it would comply with Saudi laws and regulations. If the referred office determines that it has insufficient information to enable it to accept the referral, the business must be declined and the referring office notified.

#### (٤) الاحتفاظ بالسجلات والمستندات

#### 5.4. Retention of Records and Documents

1. Banks should retain all documents and records relating to their operations in accordance with normal banking practices, for ease of reference in their own use, and for use by supervisory authorities, other regulators and auditors.

2. Banks should retain in original form the following documents;

- \* Account opening documents.
- \* Customer identification documents.
- \* Documents relating to operation of customer accounts including all correspondence with the customer.

3. Banks should also retain the following documents and records;

- \* Records of a customer transaction.
- \* Details of customer accounts and balances.
- \* Documents relating to a local or a foreign transaction.
- \* Accounting entry documents.
- \* Subsidiary ledgers related to customers, debit and credit notes, deposit slips and cashed cheques.

١ - عملاً بالمرسوم الملكي رقم م - ٦١ بتاريخ ١٧/١٢/١٤٠٩هـ على البنوك إعداد وحفظ المستندات والسجلات المتعلقة بعملياتها ومعاملاتها مع عملائها حتى يسهل الرجوع إليها عند الحاجة، سواء من قبل البنك نفسه أو من قبل الجهات المختصة والجهات الرقابية والإشرافية أو مراقبي الحسابات.

٢ - على البنوك الاحتفاظ بالمستندات الأصلية لفترة لا تقل عن عشرة سنوات بعد إقفال الحساب:

- مستندات فتح الحساب
- مستندات تحديد هوية العميل.
- مستندات ملف الحساب بما فيه التقارير والمراسلات المتبادلة بين البنك والعميل.

٣ - على البنوك الاحتفاظ بالمستندات والسجلات الآتية لفترة لا تقل عن عشرة سنوات:

- مستندات عمليات العميل.
- البيانات المتعلقة بحسابات وأرصدة العملاء.
- سجلات ومستندات المعاملات المحلية والخارجية التي يقوم بها البنك.
- مستندات القيد المحاسبي المستخدمة في العملية.
- قيود دفتر الأستاذ الخاصة بالعملاء، والمستندات الخاصة بها مثل إشعارات الخصم والإيداعات والشيكات المسحوبة.



### 5.5. Money laundering Control Unit:

A Bank must establish a money laundering control function in the organization, to prevent, detect and combat money-laundering activities. This function should be responsible for developing policies and procedures, ensuring compliance and follow up and receiving information on suspected money-laundering activities and transactions. It should also be responsible for reviewing, studying and investigating any suspected money laundering activities and notifying appropriate authorities when required. It should also participate in developing and implementing policies for training of banks' employees in special programs.

Preferably in large banks such function could be housed in a separate Money laundering Control Unit. In medium sized and smaller banks this function could be carried out from special units within the internal audit, fraud prevention or other internal control units.

### (٥) وحدة مكافحة غسل الأموال

على البنك أن يولي عناية خاصة بمكافحة عمليات غسل الأموال وذلك عن طريق إنشاء وحدة لمكافحة غسل الأموال.

وتتولى هذه الوحدة مسؤولية تطوير السياسات والإجراءات اللازمة لمكافحة غسل الأموال والتأكد من التزام البنك بها والقيام بأعمال المتابعة، كما أن من مسؤولية هذه الوحدة مكافحة غسل الأموال ودراسة أية معاملات غسل أموال مشبوهة وتوثيقها والتحقق منها والتبليغ عنها في حال ثبوتها، كما تقوم هذه الوحدة بإسداء النصائح والرأي لموظفي البنك حول هذه العمليات المشتبه بها وبيان التعليمات الداخلية ذات العلاقة والمشاركة في التدريب الداخلي لموظفي البنك. ويفضل أن تنشئ البنوك الكبيرة وحدة منفصلة لمكافحة غسل الأموال. أما البنوك المتوسطة والصغيرة فيمكن أن تقوم وحدات خاصة في قسم المراجعة الداخلية أو مكافحة عمليات الاحتيال أو أية وحدات رقابة داخلية أخرى.

### 5.6 External Audit:

The external auditor of a bank is responsible, among other things, to examine the bank's policies, procedures and internal control systems aimed at combating money laundering activities. He should also test the enforcement of such policies, and procedures. The result of his tests and any observations arising therefrom must be reported as part of his letter to management and if significant to SAMA.

The external auditor should notify the Bank's management of any suspicious transactions that he identifies during the performance of his duties. The management, can then decide on the appropriate action, with or without further collaboration from the external auditors, and reporting to authorities. The external auditor should keep fully aware of the action taken by management, and where in his opinion this was not satisfactory, consider direct contact with the authorities.

### (٦) المراجع الخارجي

على المراجع الخارجي لحسابات البنك أن يقوم وضمن مهامه في نطاق المراجعة بمراقبة وتدقيق وتطبيق الإرشادات الخاصة بمكافحة غسل الأموال والتأكد من توفر السياسات الملائمة لذلك لدى البنك وعن كفاية نظام الرقابة الداخلية فيه وأن يدرج نتائج تدقيقه على ما سبق ذكره ضمن تقرير الإدارة الذي يرفع للإدارة ومؤسسة النقد العربي السعودي، كما يجب عليه أثناء قيامه بعمله المعتاد كمراجع للحسابات أن يبلغ إدارة البنك بأية عملية يشتبه في كونها غسلًا للأموال ومن ثم تقرر الإدارة الأجراء المناسب لمعالجة ذلك إما بالتعاون مع المراجع الخارجي أو منفردة وإبلاغ السلطات المختصة بذلك. وعلى المراجع أن يكون ملماً بالكامل بإجراءات الإدارة وما إذا كانت هذه الإجراءات غير مناسبة في رأيه وعليه في مثل هذه الحالة الاتصال مباشرة بالجهات المختصة.

### 5.7. Electronic Funds Transfer Systems:

Modern technology such as electronic fund transfer and payment systems that make a fast, efficient and secure fund transfer possible are equally useful to money-launderers for their activities. Consequently, banks must pay particular attention to prevention and detection of money-laundering when designing and implementing such EFT systems.

### (٧) أنظمة التحويل الآلي

تعتبر التقنية الحديثة مثل أنظمة التحويل والدفع الآلي ضرورية لتسهيل عمليات التحويل والدفع وسرعة الأداء والفعالية والأمن كما أنها تعتبر بذات القدر مفيدة لاستخدامات غاسلي الأموال، وعليه فإن على البنوك عند تتبعها لهذه الأنظمة توخي الانتباه لمنع إستغلال هذه الأنظمة من قبل غاسلي الأموال.



It is possible that money-laundering transactions can pass through these systems when funds are moved from one account to another through local and foreign banks, making it difficult to trace or verify these transactions. Therefore all banks must implement procedures to identify the remitters and the beneficiaries for Al transactions, by obtaining complete information on them. This should include their names, addresses, account numbers and any other relevant information that could be useful in subsequent follow-up and investigation by the Bank or the authorities.

ومن الممكن جداً للقائمين بعمليات غسل الأموال أن يستغلوا هذه الأنظمة في عملياتهم وذلك عن طريق تحريك المبالغ المراد غسلها بين عدة حسابات في بنوك مختلفة (داخلية أو خارجية) على نحو يصعب معه متابعة العمليات والتحقق منها.

ويجب على البنوك أن تتحرى الدقة للحصول على معلومات كاملة عن المحول والمستفيد، بذلك يمكن في حالة الاشتباه بأن الحوالة لها علاقة بعملية غسل أموال الرجوع إلى هذه المعلومات من قبل السلطات وإدارة البنك ومن البيانات المفيدة لتحديد المحول والمستفيد (اسم وعنوان ورقم حساب المحول واسم وعنوان ورقم حساب المستفيد).

### 5.8. Employee Training:

1. A Bank must develop a regular training program for all its employees for acquainting them with money laundering transactions, their nature, indicators, risks to the bank etc. They should also train them in methods to prevent and detect money laundering activities and procedures for notifying senior management, internal control units and for informing SAMA and police authorities.

### (٨) تدريب الموظفين

١ - على البنك تطوير دورات تدريبية منتظمة ومناسبة لموظفي البنك للتعرف بعمليات غسل الأموال ومخاطرها وطبيعتها والمؤشرات التي قد تدل على وقوعها وطرق مكافحتها ومنعها، وكيفية التبليغ عن المعاملات المشتبه والإجراءات المتبعة في تبليغ الإدارة العليا ووحدات الرقابة الداخلية ومؤسسة النقد العربي السعودي والشرطة والجهات المختصة.

2. A Bank must have more extensive training programs for employees who deal directly with customers or those who have direct responsibility for detection and investigating money-laundering. These training programs should encourage employees to be reliable and trustworthy for controlling money laundering. It should also emphasize that aiding or benefiting from money-laundering is a serious criminal offense and carries serious penalties.

٢ - يجب أن يكون لدى البنك تدريب خاص ومكثف للموظفين الذين يحتكون بالعملاء (الأفراد أو الشركات) أو الموظفين الذين لهم علاقة بمكافحة غسل الأموال في البنك، مما يجعلهم أشخاصاً يعتمد عليهم ويوثق بهم. كما يجب التأكيد للموظفين بأن المساعدة في عمليات غسل الأموال أو الاستفادة منها جريمة خطيرة وعقوبتها رادعة.

### 5.9. Alerting the Authorities of Suspicious Transactions:

1. A Bank should formulate internal policies and procedures to be followed by employees when they have reasons to suspect that a money-laundering transaction is taking place. These policies and procedures should be part of an internal operational manual and should clearly prescribe the actions to be followed by an employee in informing branch and H.O management. It should also prescribe actions to be taken to immediately inform the authorities i.e. Police and SAMA.

### (٩) التبليغ عن المعاملات المشتبه فيها

١ - على البنك وضع برنامج داخلي يبين الإجراءات الواجب اتباعها من قبل الموظف عند الاشتباه في عملية ما، كما يجب أن يتضمن البرنامج الإجراءات اللازمة اتخاذها لتبليغ إدارة الفرع والمركز الرئيسي والسلطات المختصة (الشرطة ومؤسسة النقد العربي السعودي).

2. A Bank is not responsible for carrying out formal investigations of all customer transactions to search for possible money laundering activities.

٢ - ليست من مسؤوليات البنك أن يجري تحريات نظامية على كافة معاملات العملاء للبحث عن احتمال وجود عملية غسل الأموال.

3. However, a Bank should identify for use and

٢ - يجب على البنوك أن تولي اهتماماً خاصاً لبعض العمليات التي





reference of its employees, distinct patterns of customer behaviour or unusual patterns of transactions that could indicate money laundering activities. These could be regular or periodic transactions of either very large or small amounts. These can be without an apparent economic or acceptable purpose and often with parties operating from countries or jurisdictions that are known to have weak regulations for combating money laundering activities.

4. When a Branch management suspects that a money laundering transaction is taking place, it must immediately report it to the local police authorities and notify SAMA through its head office Money Laundering Control Unit. There should be no time wasted in informing the authorities and SAMA.
5. The Bank should make available to the police authorities and to SAMA all documents and statements related to the suspicious transactions and its related parties. It should fully cooperate with the authorities and follow their instructions in this respect.
6. It is a criminal offense for bank employees to help anyone they know or suspect to be involved in money laundering activities. If an employee thinks that a transaction is related to criminal activity it must be reported.
7. The notifying Bank and its employees are free of any blame or charge in respect of the notification, whether or not their suspicion is proved to be correct, as long as their notification was made in good faith.
8. A Bank should not inform the suspected client of its notification to the authorities but should exercise more caution in its dealings with him.
9. Notification of suspicious transactions to the authorities does not conflict with the provisions of the banking secrecy and customer confidentiality under the Saudi Banking Laws and Regulations.

#### 5.10. Delivery of Documents to Authorities:

A Bank should have written policies and procedures that must be followed by responsible employees for making information and documentation available to local and foreign authorities. These policies and procedures should include the following:

1. The person or persons in a Branch or at the Head office that shall be responsible for informing the authorities (Police, SAMA) when money-laundering is suspected.
2. The manner and form in which they shall

تتميز بنمط مختلف عن أنماط العمليات المعتادة مثل العمليات ذات المبالغ الكبيرة أو التي تتم بمبالغ صغيرة وعلى فترات دورية منتظمة دون أن يكون لها غرض مقبول أو سبب اقتصادي واضح، أو العمليات التي تتم مع أطراف أخرى من دول لا تطبق فيها ضوابط كافية لمكافحة عمليات غسل الأموال.

٤ - عند الاشتباه في حدوث عملية غسل أموال أو أي نشاط مرتبط بها، على إدارة الفرع المبادرة بإبلاغ الجهات الأمنية بأسرع وقت ممكن وإشعار مؤسسة النقد بذلك.

٥ - على البنك توفير جميع ما يتعلق بالعملية المبلغ عنها من مستندات وبيانات وأفية عن العملية والأطراف ذات العلاقة، والتعاون مع السلطات المختصة والعمل وفقاً لتوجيهاتها.

٦ - يجب على كل موظف في حالة اكتشافه أو اشتباهه بعملية غسل أموال أن يبلغ وفقاً لإجراءات البنك المتبعة، حيث أن الاختفاق في التبليغ أو تحذير من له علاقة بعمليات غسل الأموال أو مساعدته قد يترتب عليها آثار مالية وقانونية على الموظف نفسه.

٧ - يعفي البنك أو الموظف المبلغ من أية مسؤولية نتيجة تبليغه سواء ثبتت صحة الاشتباه أو لم تثبت، طالما أن التبليغ قد تم بحسن نية.

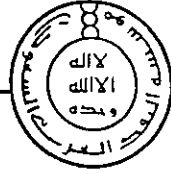
٨ - يحظر على البنك تحذير عميلة صاحب العلاقة بالعملية المشتبه فيها، طالما تم إبلاغ السلطات المختصة بالمعلومات المتعلقة به. كما يجب عدم إيقاف التعامل مع العميل المبلغ عنه ويكتفي ببذل مزيد من التحري والحذر حول العمليات التي يقوم بها.

٩ - إن إبلاغ السلطات المختصة عن العمليات المشتبه فيها لا يتنافى مع السرية البنكية وسرية العميل المنصوص عليها بموجب قوانين وأنظمة البنوك السعودية.

#### (١٠) تسليم المستندات للسلطات المختصة

يجب أن يكون للبنك سياسات وإجراءات مكتوبة تتبع من قبل الموظفين المسؤولين وذلك لتزويد السلطات المحلية والأجنبية بالمعلومات والمستندات التي تتطلبها تلك السلطات. وتتضمن هذه السياسات والإجراءات ما يلي:

- ١ - الموظف أو الموظف في الفروع أو الفرع الرئيسي الذين يتولون مسؤولية إبلاغ السلطات ( الشرطة ومؤسسة النقد العربي السعودي) عند الإشتباه في عملية غسل أموال.
- ٢ - الأسلوب والشكل الذي يجب أن يتبعه هؤلاء الموظفين في إبلاغ



contact the authorities and pass information to them.

3. Where documents and records are to be provided to the authorities, the form of such documentation (original or copies) and the receipt and forms to be used for providing and receiving such information by authorized personnel.
4. When information is to be provided verbally, the manner and form of such information.
5. In some instances, depending upon the case, a new or a different procedure may need to be developed. The person or persons authorized to develop such procedures must be identified at branches or and head office.
6. Where information and documentation is sought by or is to be provided to a foreign law enforcement authority, the Bank must seek permission of SAMA and local authorities before passing any documents, records or information. Normally such information exchange actions are carried out in collaboration with local authorities.

#### 6. Effective Date

These guidelines are effective from the date of the accompanying circular.

السلطات المذكورة أعلاه .

٢ - طبيعة المستندات (أصلية أو نسخ) والإيصالات والنماذج التي يجب استخدامها في إبلاغ السلطات بالمعلومات وفي تلقي المعلومات منها وذلك عند تقديم تلك المستندات للسلطات .

٤ - الأسلوب الذي قد يتبع في إبلاغ السلطات إذا كان هذا الإبلاغ شفهيًا .

٥ - يجوز أن تستدعي بعض الحالات تبني إجراءات جديدة في إخطار السلطات عند الاشتباه في عملية غسل الأموال ويجب في مثل هذه الحالات تعريف الموظف أو الموظفين في الفروع أو الفرع الرئيسي المخولين لاستحداث تلك الإجراءات .

٦ - على البنك الحصول على موافقة مؤسسة النقد العربي السعودي والسلطات المحلية عندما تكون المعلومات والمستندات المعنية مطلوبة من سلطة قانونية أجنبية أو يجب تزويدها بها وذلك قبل إبلاغ تلك المعلومات وتسليم المستندات وعادة يتم تبادل مثل تلك المعلومات بالتعاون مع السلطات المحلية .

سادساً: تاريخ التطبيق

يسري العمل بهذا الدليل من تاريخ إصداره

الملاحق  
**Appendixes**



## Appendix- 1

ملحق (١)

### EXAMPLES OF WEAKNESSES IN PROCEDURES IN A BANKING SYSTEM THAT ENCOURAGE MONEY LAUNDERING

#### أمثلة لنقاط الضعف في إجراءات

#### أنظمة البنوك والتي تساعد على عمليات غسل الأموال

Any country or a geographical region that has weaknesses in its legal and regulatory framework can be exploited by money-launderers and can become a center for money laundering. As money laundering transactions normally require a long period to complete their three stages, money launderers often seek countries with serious shortcoming in their laws and procedures to base their operations.

The existence of following weaknesses in a legal system of a country can generally create an environment that is conducive for the money laundering transactions to penetrate its banking system:

هناك احتمال كبير بأن تصبح أية دولة أو منطقة تعاني من ضعف ميكلها القانوني أو النظامي مركزاً لغسل الأموال، حيث أن غاسلي الأموال يبحثون عن نقاط الضعف التشريعية أو الإجرائية لاستغلالها في تمرير ومزاولة أعمالهم الإجرامية ولأطول فترة ممكنة خصوصاً وأن طبيعة عمليات غسل الأموال تحتاج إلى فترة طويلة ومتواصلة لإتمام جميع مراحلها الثلاث.

وفيما يلي قائمة بالحالات التي قد تكون عوامل مساعدة للمجرمين على مزاولة نشاطهم في غسل الأموال:

- ١ - الدول التي تتبع السرية المطلقة في نظامها المصرفي مما يعيق السلطات القانونية من التحقيق في عمليات غسل الأموال.
- ٢ - الدول التي تسمح بتأسيس الشركات ضمن شروط ميسرة وبالأذات السماح بإصدار أسهم لحاملها عند تأسيس الشركة.
- ٣ - حالات عدم وجود رقابة على تبادل المعاملات المالية الأجنبية حين دخولها وخروجها.
- ٤ - حالات عدم تطبيق مبدأ (اعرف عميلك) بشكل صارم وضمن إجراءات قوية مما يتيح فتح الحسابات المجهولة الأسماء، أو الأرقام.
- ٥ - حالات تسهيل إصدار البنوك لأدوات نقدية لحامله.
- ٦ - الدول التي لا تجرم عمليات غسل الأموال.
- ٧ - الدول التي لا تشترط التبليغ عن الحوالات ذات المبالغ الكبيرة أو غير الطبيعية.
- ٨ - الدول التي لا تشترط التبليغ عن العمليات المشتبها بها.
- ٩ - حالات عدم وجود قوانين تنظيم عملية المصادرة أو وجود قوانين ضعيفة.
- ١٠ - الدول التي يوجد لديها حجم كبير من التحويلات الخارجية أو الأدوات النقدية.
- ١١ - الدول التي لديها أسواق عالمية لتبادل المعادن الثمينة حيث يسهل التعامل فيها.

- \* Adopting of strict and complete banking secrecy in respect of its banking system, thus hindering other concerned authorities from discovering money laundering transactions.
- \* Countries in which rules permitting registration of companies are lax and have few requirements and that particularly permit the use of bearer shares in company formation.
- \* Absence of any foreign exchange controls on incoming and outgoing funds.
- \* If a country does not require a strict application of the "know your customer" principle, thus facilitating the opening of untraceable numbered accounts or fictitious names.
- \* Facilitating the issuance of financial instruments payable to bearers by banks.
- \* Countries in which money laundering is not considered a crime.
- \* Countries that do not require banks to notify the concerned authorities of large or unusual fund transfers.
- \* Countries that do not necessitate notification of suspicious transactions to the concerned authorities.
- \* Absence of confiscation regulations, or lax enforcement or even non enforcement of such regulations if they exist.
- \* Countries that have significant dealings in outgoing foreign drafts transfers or cash instruments.
- \* Countries that are international markets of precious metals and where it is easy to transact such trades.



- \* Countries permitting free trading of the U.S Dollar and particularly where banks are allowed to accept dollar deposits.
- \* Countries that have banking control laws that facilitate the establishment of banks particularly in free trade zones where supervisory controls or banking regulations are lax.

- ١٢ - الدول التي يسمح فيها بالتعامل الحر بالدولار وخاصة الدول التي تسمح لبنوكها بقبول الأيداعات بالدولار.
- ١٣ - الدول التي فيها أنظمة مصرفية تسهل عملية فتح البنوك وفتح الحسابات وخصوصاً في المناطق المعفاة من الضرائب أو التي تطبق مبدأ التجارة الحرة حيث لا يوجد إلا قدر ضئيل من السلطة الرقابية أو الضوابط التنظيمية المصرفية.



## Appendix - 2

(ملحق ٢)

**MONEY LAUNDERING INDICATORS**

The purpose of this section on money laundering indicators is to increase the understanding of Banks' personnel of such transactions to help them in identifying any such activities. The existence of one or more of these indicators does not necessarily mean that a money laundering transaction is taking place but it should raise some concerns and lead to further investigations.

These indicators should be taken by Banks' personnel for guidance purposes only. These are not exhaustive and Banks' personnel should make efforts to add or amend these as required. Bank employees should depend on their skills and expertise to reach a sound judgement on suspected transactions.

**1. General Indicators**

1. The transaction whose general form is indicative of illegitimate or unknown purpose.
2. Existence of movements in the customer's account not related to his activities such as:

- \* Continuous cash deposits in companies and establishment's accounts.
- \* Abnormal purchase of cashiers cheques and payments orders against cash.
- \* Withdrawal of cash amounts after a short time of its deposit.
- \* Large deposits of cheques, incoming drafts and payment orders that are inappropriate to the nature of customer's activity.
- \* Large withdrawals or deposits inconsistent with customers activities.

3. Transactions for unknown objectives which do not adhere to activity of the company or its branches.

4. Existence of a large number of deposits of small amounts whether in cash, cheques or incoming drafts and whose total amounts or the approximate total amounts, are transferred to another city or country in one transaction.

**2. Indicators for Teller Transactions:**

1. Frequent cash deposits by the customer of dirty or excessively used notes.
2. Cash deposits of large amounts whose source is apparently one of the banks in the same region.
3. Exchange of a large amount consisting of small denominated notes with the same

**المؤشرات الدالة على عمليات غسل الأموال**

إن الهدف من ذكر المؤشرات بعاليه هو زيادة فهم موظفي البنوك لعمليات غسل الأموال وما يرتبط بها من أنشطة مصرفية وبالتالي مساعدتهم في تمييز ما إذا كان هناك عملية غسل أموال أم لا، حيث أن وقوع واحد أو أكثر من هذه المؤشرات لا يدل بالضرورة على حدوث عملية غسل أموال إنما يعني الاشتباه الذي يستوجب التحري الدقيق للتأكد من حدوث العملية.

ويجب أن تؤخذ المؤشرات التالية للاسترشاد بها ولا يمكن اعتبارها مكتملة بأي حال من الأحوال. الأمر الذي يتطلب من موظفي البنوك الاجتهاد في مجال تنقيحها والإضافة إليها متى ما وجدت أسباب منطقية لذلك، كما يجب عليهم أيضاً الاعتماد على خبراتهم وقدراتهم في سبيل إيجاد حكم صائب عن العملية المشتبه بها.

**مؤشرات عامة :**

- ١ - العمليات التي يوحي شكلها العام بأنها ربما تكون ذات غرض غير مشروع، أو أن تكون ذات غرض مجهول.
- ٢ - وجود حركات في حساب العميل لا تمت لطبيعة نشاطه بصله ومنها على سبيل المثال:
  - الإيداعات النقدية المستمرة في حسابات الشركات والمؤسسات التجارية.
  - شراء شيكات مصرفية وأوامر الدفع الأخرى مقابل النقد وبشكل غير عادي.
  - سحب مبالغ نقدية بعد إيداعها بوقت قصير .
  - الإيداعات الكثيرة للشيكات والحوالات الواردة وأوامر الدفع بشكل لا يتناسب مع نشاط العميل.
  - ظهور حركة سحب أو إيداع كبيرة لا تتناسب مع حركة حساب العميل المعتادة.
- ٢ - العمليات التي لا تكون متماشية مع النشاط المعتاد للبنك أو فرع البنك المعني والتي لا تعرف الدوافع من ورائها.
- ٤ - وجود عمليات إيداع كثيرة العدد لمبالغ صغيرة سواء كانت نقداً أو بشيكات أو حوالات وارده يتم تحويل إجمالي مبالغها أو بنقص بسيط إلى مدينة أو دول أخرى وبعملية واحدة.

**مؤشرات معاملات الشيكات :**

- ١ - الإيداعات النقدية المتكررة من قبل العميل لفئات نقدية متسخة أو سبق أن استخدمت بكثرة.
- ٢ - الإيداعات النقدية لمبالغ كبيرة واضح أن مصدرها بنوك أخرى بنفس المنطقة.
- ٣ - مبادلة مبلغ كبير مؤلف من أوراق نقدية ذات فئات صغيرة بنفس المبلغ والعمله لكن بفئات كبيرة.



amount and currency in bigger denominated notes.

4. Purchase by a temporary customer (who does not have an account in the same bank) of cashiers cheques or precious metal in large amounts.
5. Transfer by a temporary customer of amount outside the country without clear reason.
6. Deposit of large number of cheques or cash amounts by the customer or others without any withdrawals.

### 3. Indicators for Bank Accounts

1. Opening of more than one account by a customer in his name in the same bank without a clear reason, and existence of inter account transfer among these accounts.
2. Accounts opened in names of tellers in the bank who receive regular deposits or periodic incoming drafts.
3. Payments or transfers by many persons to a single account whether in cash or through internal drafts.
4. Opening by a customer of more than one account in the name(s) of his family members and being authorized to manage these accounts on their behalf
5. Opening the account by a customer with his continuous management of the account without him physically appearing in the bank or even not being known to the bank personnel for a long period of time.
6. The existence of bank accounts with address outside the region of the bank.
7. Existence of large number of movements of big amounts in the account while the balance is kept low or fixed.
8. Opening of many accounts by the customer with normal balances while the total represents a big amount.
9. Current or saving accounts used only to receive incoming drafts from outside in a continuous manner without any justifiable reasons.

### 4. Indicators for Credit Activities

1. Unexpected settlement, by the customer, of a loan due without disclosing the source of funds.
2. Obtaining a loan or credit facilities against guarantees issued by a bank operating outside the Kingdom without a clear commercial reason.
3. Submittal by the customer, of a company's shares of which the bank is unable to confirm

٤ - قيام عميل مؤقت (ليس له حساب لدى نفس البنك) بشراء

شيكات مصرفية أو معادن شينة بحجم كبير.

٥ - قيام عميل مؤقت بتحويل أموال للخارج دون سبب واضح.

٦ - إيداع عدد كبير من الشيكات أو المبالغ النقدية من قبل العميل أو غيره دون وجود سحبيات بالمقابل.

### مؤشرات الحسابات المصرفية:

- ١ - قيام العميل بفتح أكثر من حساب باسمه لدى نفس البنك دون سبب واضح وكثرة الحوالات الداخلية بين هذه الحسابات.
- ٢ - الحسابات الخاصة بالصرافين المفتوحة لدى البنك والتي تستقبل ودائع منتظمة أو حوالات وإردة دورية.
- ٣ - قيام عدد كبير من الأشخاص بدفع أو تحويل مدفوعات لحساب واحد منفرد سواء كان ذلك نقداً أو عن طريق حوالات داخلية.
- ٤ - قيام العميل بفتح أكثر من حساب بأسماء أفراد عائلته وتولييه إدارة هذه الحسابات نيابة عنهم.
- ٥ - قيام العميل بفتح حساب واستمراره بالتعامل فيه دون الظهور بالبنك أو حتى معرفة موظفيه به لفترة طويلة جداً.
- ٦ - وجود حسابات مصرفية بالفرع لعملاء عناوينهم تقع خارج منطقة الفرع.
- ٧ - وجود حركات كثيرة في الحساب وبمبالغ كبيرة مع بقاء الرصيد منخفضاً وثابتاً باستمرار.
- ٨ - فتح العميل لعدة حسابات ذات أرصدة عادية إلا أن إجمالها يمثل مبلغاً كبيراً.
- ٩ - الحسابات الجارية أو حسابات التوفير التي تستخدم فقط بغرض استلام الحوالات الواردة من الخارج وبشكل مستمر دون وجود أسباب واضحة لذلك.

### مؤشرات الأنشطة الائتمانية :

- ١ - قيام العميل بسداد قيمة القرض المستحق عليه بشكل مفاجئ وغير متوقع أو دون بيان لمصدر النقود.
- ٢ - الحصول على قرض أو تسهيلات ائتمانية مقابل ضمانات صادرة من بنك يعمل خارج المملكة.
- ٣ - تقديم العميل لأسهم شركات لا يستطيع البنك التثبت من أنشطتها كضمان للحصول على قرض أو تسهيلات ائتمانية.





- its activities, as a guarantee for obtaining a loan or credit facilities.
4. Submittal, by unknown parties to the bank, of additional guarantees in favour of the customer such as mortgage of assets or warranties while the bank is unable to define the relationships with the customer or existence of justified reason for such guarantees.
  5. The bank grants loans to customers having deposit accounts in foreign banks in a country having strict banking secrecy.
  6. The bank grants loan to foreign companies without a justifiable reason.
  7. The borrowing customer requests immediate transfer of loaned amount to other bank(s).
  8. Use of credit facilities given to the customer for purposes other than that mentioned in the loan application.

#### 5. Indicators for Drafts

1. Frequent transfer of amounts to another bank without mentioning the name of the beneficiary.
2. Frequent transfer of amounts to foreign banks with instructions to pay in cash to the beneficiary.
3. The amount of draft does not fit with the physical appearance of the sender or the nature of his commercial activity.
4. Frequent transfers of big amounts to and from countries known to be a source for drugs.
5. The customer's intentional misrepresentation of information given to the bank.
6. Fragmenting a big amount into smaller amounts upon transfer.
7. Frequent transfers to banks in countries known with strict banking secrecy laws.
8. Frequent transfers of large amounts against cheques under clearing or not cleared.
9. Cash transfers in large amounts.
10. Deposits in different accounts and transfer of these amounts to a main account and then transferring it outside the Kingdom.
11. Request of the customer to the bank to transfer amount to foreign banks against incoming drafts to the same account with equivalent amounts.
12. Incoming drafts used immediately to purchase financial instrument such as (certificates of deposit, cashier cheques....etc) in favour of other parties.
13. Continuous purchase of drafts by certain customers.

- ٤ - قيام أطراف غير معروفة لدى البنك بتقديم ضمانات إضافية كرهن أصول أو تقديم كفالات لصالح العميل، مع عدم مقدرة البنك تمييز أية علاقة وثيقة تربطهم بالعميل أو وجود مبرر واضح.
- ٥ - منح البنك قروضاً لعملاء لديهم حسابات مصرفية في بنوك خارجية تتمتع بالسرية المطلقة.
- ٦ - تقديم البنك قروضاً لشركات خارجية دون وجود مبرر واضح لذلك.
- ٧ - طلب العميل المقترض سرعة تحويل مبلغ القرض إلى بنك أو بنوك أخرى.
- ٨ - استخدام التسهيلات الائتمانية الممنوحة للعميل في مجالات غير الغرض المحدد عند التقدم بطلب الحصول على قرض.

#### مؤشرات الحوالات :

- ١ - تكرار تحويل مبالغ إلى بنك آخر دون إيضاح اسم المستفيد.
- ٢ - تكرار تحويل مبالغ إلى الخارج مع تعليمات بالدفع نقداً للمستفيد.
- ٣ - مبلغ الحوالة لا يتناسب مع هيئة المحول أو طبيعة عمله التجاري.
- ٤ - تحويلات كبيرة ومتكررة من وإلى دول معروفة بأنها مصدر للمخدرات.
- ٥ - تحايل العميل المتعمد بتقديم معلومات غير صحيحة للبنك.
- ٦ - تجزئة مبلغ الحوالة الكبير عند التحويل إلى مبالغ أصغر.
- ٧ - التحويل المتكرر إلى بنوك معروفة عنها اعتماد السرية المطلقة.
- ٨ - التحويلات الكبيرة والمتكررة مقابل شيكات لم تحصل بعد أو غير محصلة.
- ٩ - التحويلات النقدية بمبالغ كبيرة.
- ١٠ - إيداع مبالغ في حسابات مختلفة ثم القيام لاحقاً بتحويلها إلى حساب رئيسي ومن ثم تحويلها إلى خارج المملكة.
- ١١ - طلب العميل من البنك تحويل مبالغ من حسابه إلى الخارج مع ورود حوالات لنفس الحساب بمبالغ تعادل المبلغ المحول.
- ١٢ - استخدام الحوالات حال ورودها لشراء أدوات نقدية (شهادات إيداع شيكات مصدقة ... إلخ) لصالح أطراف أخرى.
- ١٣ - قيام عملاء معنيين بشراء حوالات وبصورة دائمة.





14. The customer's frequent deposits in his account of cashiers cheques issued by foreign banks.

١٤ - إيداع العميل للشيكات المصرفية الصادرة من قبل بنوك أجنبية وبشكل متكرر.

#### 6. Customer Indicators .

1. The customer avoids declaring his actual identification while processing the transaction or even providing incorrect information.
2. The customer tries to transfer large amounts and he withdraws his application because of his fear of informing concerned authorities about the transaction.
3. The customer tries to influence the bank employee not to inform the concerned authorities about a suspected transaction.
4. The customer refrains from providing information about his previous and current commercial activities and banking transactions and relationships.
5. The bank is doubtful of customer's identification for any reason.
6. The customer who opens account without having a local address or persons to identify him.
7. The customer gives his special instructions to process his transactions by fax or telex without a justified reason to use this media.

#### مؤشرات العميل :

- ١ - تجنب العميل الإفصاح عن هويته الحقيقية عند إجراء العملية البنكية أو حتى توفير معلومات صحيحة ودقيقة تستوجبها طبيعة العملية.
- ٢ - محاولة العميل القيام بتحويل مبالغ كبيرة وتراجع عن ذلك خوفاً من التبليغ عنها.
- ٣ - محاولة العميل إكراه أو إجبار موظف البنك بعدم التبليغ عن عملياته المشتبه بها.
- ٤ - العملاء الذين يمتنعون عن تقديم معلومات عن أنشطتهم التجارية أو معاملاتهم البنكية السابقة والحالية.
- ٥ - تشكك البنك ببنوية العميل لأي سبب كان.
- ٦ - العملاء الذين يفتحون حسابات دون وجود عنوان محلي لديهم أو أشخاص يرجع إليهم (معرفين).
- ٧ - إعطاء العميل تعليمات خاصة بتنفيذ العمليات عن طريق الفاكس أو التلكس دون وجود مبرر لاستخدام هذه الوسيلة.

#### 7. Bank's Personnel Indicators

1. An employee whose standard of living is not commensurate with his salary.
2. An employee who works for very long periods without requesting vacations.
3. Connection of employee with many doubtful transactions while performing his duties.
4. The employee tries to facilitate rendering of banking services to a customer (individual, company) without applying normal banking procedures.

#### مؤشرات موظفي البنك :

- ١ - الموظف الذي تحيط به مظاهر معيشية لا تتناسب مع حجم الراتب الذي يتقاضاه من البنك.
- ٢ - استمرار الموظف في العمل لفترة طويلة دون أخذ أية إجازات.
- ٣ - ارتباط الموظف بتعليمات عديدة تثير الريبة أثناء تأديته لعمله.
- ٤ - محاولة الموظف تسهيل حصول أحد العملاء (فرد أو شركة) على الخدمات المصرفية التي يقدمها البنك والتغاضي عن تطبيق الإجراءات البنكية المعتادة.

#### 8. Changes in Branch Transactions Indicators

1. Overriding or not implementing the bank's internal control directives or intentional non-compliance with the bank's policies by employees.
2. Increase of money in circulation in large cash notes that does not match with the nature of work, transactions or location of the Branch.
3. Material change in the volume of branch transactions with one or more corresponding banks.
4. Abnormal increase of drafts volume issued by the branch or in its cash deposits.
5. Increase of cashiers cheques or payment orders sold to temporary customers.

#### مؤشرات التغيرات في أساليب عمليات البنك :

- ١ - تجاوز أو عدم تنفيذ تعليمات الرقابة الداخلية للبنك أو التحايل المتعمد على السياسات البنكية المتبعة.
- ٢ - زيادة حركة التداول وبفئات كبيرة لا تتناسب مع طبيعة الفرع المعتادة وعملياته أو موقعه.
- ٣ - التغير الكبير في حجم تعامل البنك مع أحد أو بعض البنوك المراسلة.
- ٤ - الزيادة غير الطبيعية في حجم الحوالات الصادرة من البنك أو الإيداعات النقدية.
- ٥ - زيادة عدد الشيكات المصرفية أو أوامر الدفع المباعة إلى العملاء المؤقتين.



## Appendix-3

(ملحق ٣)

### EXAMPLES OF BUSINESSES COMMONLY USED FOR MONEY LAUNDERING

### أمثلة للأنشطة أو الأعمال المعتاد استخدامها في عمليات غسل الأموال

Money laundering can adopt a variety of disguises, but there are certain types of businesses which are more attractive to the launderers. There is also a tendency to use countries with strict secrecy provisions for banks and for companies and which make it difficult to obtain sufficient information to understand the nature and type of business being done. The following guidance provides an insight into what those businesses might be.

يمكن لعملية غسل الأموال أن تتم من خلال ممارسات مختلفة ولكن هناك أنواع محددة من الأنشطة والأعمال تكون أكثر جاذبية لغاسلي الأموال، وغالباً ما يكون الاتجاه هو استخدام الدول التي تتبع مبدأ السرية المصرفية مما يجعل الحصول على المعلومات الكافية لمعرفة طبيعة ونوعية العمل الذي تم تأديته أمراً في غاية الصعوبة. وتوضح النقاط التالية أسلوب استخدام هذه الأعمال:

#### 1. Shell Corporations

Legitimate uses of shell corporations often provide anonymity for the beneficial owners who are involved in laundering money. The use of "professional" nominees to act as directors provides further protection for the launderer. Together with the use of accommodation, addresses shell corporations can be very effective vehicles for money laundering.

Types of businesses covered: Potentially any business.

What to Look for: The use of such companies where it appears to be an unnecessary complication; the use of less reputable legal and financial advisers to set up and / or maintain the corporation.

#### ١ - الشركات المغطاة قانونياً :

إن الاستخدام القانوني لتلك الشركات عادة ما يوفر غطاءاً للمستفيد المالك الذي يقوم بغسل الأموال وبالأذات إذا تم استخدام جهات مبنية لإدارة هذه الشركات (مثل المحامين أو المحاسبين أو البنوك) واستخدام عناوين السكن وذلك لدورها الفعال في تمويه عملية غسل الأموال.

أنواع الأعمال التي يتم تغطيتها : كل الأنواع

ما يتم البحث عنه : شركات تتميز بعدم وضوح أهدافها أو تعقد أغراضها ونشاطاتها وبالأذات إذا تم إنشائها أو إدارتها أو متابعتها بواسطة مكاتب استشارات قانونية ومالية ليست بالمستوى أو السمعة المطلوبة.

#### 2. Non bank financial Institutions

By the nature of their business, the receipt and payment of cash will not appear unusual, and some of these businesses will rely upon a casual rather than a regular customer base.

Types of business covered: bureau de change, money changers.

What to look for: Appropriateness of turnover levels, sudden fluctuations in turnover, variations in deposit/payment pattern due to small number of large transactions; large purchases of travelers cheques or money orders resulting in encashments from a variety of countries, or indeed the reverse.

#### ٢ - المؤسسات المالية غير البنكية :

بحكم طبيعة عمل هذه الجهات والتي تتمثل في قبول ودفع الأموال فإن العملية لن تبدو غير عادية كما أن بعض هذه الأعمال تعتمد على الخدمة التي تقدم للعملاء العابرين بدلاً من العملاء المعتادين.

أنواع الأعمال التي يتم تغطيتها : محلات الصرافة

ما يتم البحث عنه : معقولة معدل إجمالي الحركات، التقلبات غير المستقرة أو الفجائية في الحركات، التنوع في مصادر الإيداعات / التسديدات وكبر حجم المشتريات من الشيكات السياحية أو أوامر الدفع مما ينتج عنه زيادة في النقد لعدد من الدول أو العكس تماماً.

#### 3. Travel Agencies

Where such businesses operate a bureau de change or travelers cheque facility, and have a pattern of international payments as a norm,

#### ٣ - وكالت السياحة والسفر :

عندما تقوم مثل هذه الوكالات بأعمال الصرافة وخدمات الشيكات السياحية أو ما يتعلق بالدفعات الدولية وما يرتبط بها من عمليات



they are attractive both for placement and layering purposes.

What to look for: payments to countries on the "hot list" outside normal pattern; large purchases of travelers cheques resulting in encashments from a variety of countries; fluctuations in transaction pattern out of line with normal business patterns

#### 4. Import/Export Businesses

This sort of business can provide cover for either the placement or layering (through international payments) stages of a money Laundering scheme. These businesses are particularly vulnerable where they are small and where they trade in a variety of products, and/or where the supply or distribution end is conducted largely in cash (typically low value items).

#### 5. Precious Commodities

The placement of cash, but more usually layering can be facilitated within businesses where large value transactions are common, and the commodities traded are difficult to value objectively, thereby allowing inflated values to be used to support requests for payments.

Types of business covered: precious metals, jewelry; antiques; fine art galleries.

What to look for; trading patterns with countries on the "hot list" not normally associated with the commodity in question; unusual fluctuations in turnover or types of financial instruments used.

#### 6. Cash driven businesses

The types of businesses that normally accept cash are useful to the launderer at the placement stage, and could also be used for layering purposes.

Types of businesses covered: Used car dealers; garages; corner shops (especially those in some countries who offer cheque encashment facilities); electrical goods stores; leather goods shops; building supplies firms; builders.

What to look for: Increases in cash deposits which do not seem to be matched by increases in businesses; the maintenance of cash flow levels when business is falling off,, unusual payment patterns from cash deposits seemingly unrelated to the business concerned.

الإيداع والصرف ستكون جذابة لغرض إتمام مراحل عملية غسل الأموال كالإيداع والتغطية.

ما يتم البحث عنه : التحاويل غير العادية للدول (المشبوكة)، المشتروات الكبيرة للشيكات السياحية ومن ثم صرفها في دول مختلفة، والتغير في العمليات خارج نطاق عمليات الشركات الاعتيادية، التقلبات الفجائية في العمليات بطريقة غير طبيعية.

#### ٤ - نشاط الاستيراد والتصدير :

من الممكن أن يكون هذا النوع من النشاط غطاءً لعمليات غسل الأموال (عن طريق المعاملات الدولية) أو لمرحلة من مراحل عملية غسل الأموال.. هذه الأنشطة بالذات قابلة للاستعمال عندما تكون صغيرة الحجم وتستخدم لأغراض التجارة في المنتجات المختلفة، و/أو عندما يتم البيع والتوزيع على الأساس النقدي (كما هو المتبع في عمليات تبادل بضائع متدنية القيمة).

#### ٥ - البضائع النفيسة أو مرتفعة القيمة :

إن مرحلة الإيداع يمكن تغطيتها من خلال عمليات غسل الأموال باستعمال مؤسسات تعمل في حقل البضائع النفيسة ذات القيم العالية والتي تكون تعاملاتها كبيرة العدد ويصعب تقدير أو تقييم قيمة البضائع المباعة مما يسمح لاستخدام القيم المبالغ بها في دعم طلبات الدفع، ويندرج تحت هذا البند المتاجرة بالأحجار الكريمة والمصوغات الذهبية والتحف والأعمال الفنية مثل الصور. ما يتم البحث عنه : تعاملات تجارية مع دول مشبوكة وليست مصدراً معروفاً للبضائع موضوع البحث، التقلبات الفجائية وغير العادية في إجمالي الحركات أو الأدوات المالية التي يتم استخدامها.

#### ٦ - نشاطات ذات الاعتماد على النقد :

إن نوعية الأعمال التي عادة ما تقبل النقد في تعاملاتها تكون مستهدفة في عملية غسل الأموال في مرحلة الإيداع كما يمكن استخدامها في عملية التغطية ووضعها في المجالات النظامية. أنواع الأعمال التي يتم تغطيتها : تجارة السيارات المستعملة، ورش الإصلاح، المطاعم السريعة، مخازن المواد الكهربائية، محلات بيع المنتجات الجلدية، محلات بيع مواد البناء.

ما يتم البحث عنه : الزيادة في الإيداعات النقدية بما لا يتفق مع الزيادة في الأعمال، المحافظة على معدل التدفق النقدي في حين أن الأعمال تتناقص، إيداعات غير عادية يبدو عليها بأنها ليست ذات صلة بالنشاط المعني.



## 7. Offshore Financial Services

Many of those laundering operations which have been uncovered have involved the transfer of funds through offshore financial service companies to layer transactions and provide anonymity. Because there is no underlying business against which to test the commercial basis for a transaction it is extremely difficult to detect "unusual" patterns.

Types of businesses covered; trust companies; commodity traders, financial advisers.

What to look for: small operations that appear to have only one or two clients; unusually complex ownership structures; lack of interest in costs incurred in doing transactions; links with countries on the "hot list", investing in instruments that carry anonymity (e.g., bearer bonds) when uneconomic to do so.

## ٧ - الخدمات التجارية الخارجية :

إن العديد من عمليات غسل الأموال والتي تم اكتشافها كانت تتم عن طريق تحويل الأموال من خلال المرور بشركات الخدمات المالية المسجلة بمناطق "الأوف شور" (مناطق ذات أنظمة ميسرة للأعمال المالية) وذلك لاستخدامها في مرحلة التغطية. ولصعوبة ربط هذه العمليات مع الأعمال التجارية فإن تغطية هذه العمليات يكون سهلاً مما يصعب عملية اكتشافها.

أنواع الأعمال التي يمكن تغطيتها : شركات الائتمان ، تجارة البضائع ، ودور الاستشارات المالية.

ما يتم البحث عنه : النشاطات الصغيرة التي لها عميل واحد أو عميلين، والملكية المعقدة غير الواضحة، لا مبرر للعملية وكلفة التحويل المدفوعة، الارتباط بالدول المشبوهة، الاستثمار في الأوراق المالية المصدرة لحامله كالسندات وخاصة عندما يكون ذلك غير مجد اقتصادياً.

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**Saudi Arabian Monetary Authority  
Banking Control**

**SAUDI ARABIAN MONETARY AGENCY  
BANKING CONTROL**

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**GUIDELINES FOR PREVENTION  
OF  
MONEY LAUNDERING**

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In the Name of Allah, the Beneficent, the Merciful

**Saudi Arabian Monetary Agency**  
Head Office

**Governor's Office**

No.: 10418/MAT/462

Attachments: (1 + 2 copies)

Riyadh on: 24/08/1416 A.H.

Corresponding to: 15 January 1996

**Circular to All Commercial Banks Operating in the Kingdom**

HE/

Greetings:

**Subject: Anti-Money Laundering Guidelines**

With reference to the international agreements on combating money laundering conducted through illegal activities, including the 1988 United Nations Convention, ratified by the Kingdom, and the forty recommendations issued by the Financial Action Task Force of the United Nations in 1990, and the guidelines issued by the Basel Committee, especially those related to combating money laundering through illegal drug trafficking. This is an important issue at the level of many governments, legal authorities and banking supervisory bodies because these activities currently constituting a multi-billion dollar business annually, allowing those huge amounts of money to be freely circulated and transferred through unintended assistance from banks and financial institutions in the international banking system.

The Saudi Arabian Monetary Agency, pursuant to Article 16 of the Banking Control Law, issued the attached Guidelines to help banks avoid illegal operations, and to maintain the soundness and reputation of the banking system in the Kingdom. These Guidelines also provide basic information on this topic as well as information on the actions to take to combat, detect and monitor money laundering transactions.

Therefore, all banks shall apply these Guidelines and amend their internal systems and procedures in accordance therewith.

Best regards...

**Governor**

**Hamad Saud Al-Sayyari**

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**Saudi Arabian Monetary Agency  
HEAD OFFICE**

The Governor  
1995

FACSIMILE MESSAGE

November

From : Saudi Arabian Monetary Agency -H.O Riyadh

To: All Banks

Attn: Managing Directors and General Managers

Subject: Guidelines for Prevention and Control of Money  
Laundering Activities

As you are aware, money laundering activities particularly those related to drugs are a major concern to many governments, law enforcement agencies and banking supervisors. Such activities now constitute a multi-billion dollars business annually, and these vast sums cannot be stored or moved without the cooperation or unwilling participation of international banks. In recent years many International cooperation initiatives have been taken to combat these activities such as the 1988 UN Convention Against Illicit Traffic in Narcotics Drugs, the 1990 Report of Financial Action Task Force of OECD countries and the 1991 Basle Committee Guidelines for International Banks.

Saudi Arabian Monetary Agency is issuing these Guidelines under Article 16 of the Banking Control Law, with a view to strengthen the ability of Banks to counter illegal transactions and to maintain and enhance the credibility and reputation of the Saudi Banking System. These Guidelines provide basic information on the subject, along with information on measures to be taken for prevention, control and detection of money laundering activities. Banks are required to make these an integral part of their own systems and procedures and to fully implement these as soon as possible.

**Hamad Al Sayari**

FK\*



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**GUIDELINES FOR PREVENTION AND CONTROL  
OF MONEY LAUNDERING ACTIVITIES  
THROUGH THE BANKING SYSTEM**

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8- Changes in Bank Transaction Patterns Indicators
3- Examples of Activities or Businesses Commonly used in Money Laundering Operations.



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### 1. Introduction:

By all accounts, world-wide money laundering activities, particularly those related to drugs, now constitutes a multi-billion dollar business annually. However, money laundering could also encompass funds derived from theft, blackmail, extortion, terrorism and other criminal activities. It is inconceivable and unlikely that such large amounts of money can be stored or moved without the cooperation or unwitting participation of many international banks and banking systems. In many quarters, money-laundering is considered as a serious threat to the integrity of many international banks and even some banking systems.

During the past few years, money laundering has become a widespread phenomenon involving highly sophisticated techniques to penetrate different banking systems. This has led the law makers, law enforcement agencies and supervisory authorities in many countries to co-operate, locally and internationally, to combat such a phenomenon. In this respect the Financial Action Task Force formed by the G-10 countries to combat money laundering has carried out extensive work and issued forty recommendations to counter the spread of money-laundering.

In recognition of international legal and supervisory efforts to combat the spread of money-laundering, the Agency has prepared these Money Laundering Control Guidelines which provide basic information on the subject, along with information on measures to be taken for prevention, control and detection of money

1. To help Saudi Banks to comply with the Banking Control Law and SAMA regulations.
2. To prevent Saudi Banks from being exploited as channels for passing illegal transactions arising from money-laundering and other criminal activity.
3. To maintain and enhance the credibility and reputation of the Saudi Banking System.

### 2. Process of Money laundering

Money laundering is normally a three staged operation. These stages are:

#### First: Introduction

Money laundering operations, particularly those related to drug trafficking, constitute a multi-billion dollar business worldwide. It may not be possible for large sums of money to freely circulate and deposited without the assistance of banks and the banking system or their unintentional involvement in money laundering operations that are considered a serious threat to the integrity of many international banks and even some banking systems.

The evolution of the money laundering issue over the past years has led to combating it becoming a priority for legislative, supervisory and control bodies in many countries around the world. This has led to increased cooperation at the local and global levels. The Financial Action Task Force established by the G-10 Countries has issued its 40 recommendations in this regard.

In recognition of the global legal and supervisory efforts to combat the proliferation of money laundering operations, the Saudi Arabian Monetary Agency has issued Guidelines for Anti-Money Laundering, which contain the basic information on this subject, along with information on the procedures to be taken to combat, detect and prevent money laundering operations. Banks shall adopt these Guidelines and make the directives contained therein part of their internal systems and procedures in order to detect and combat these illicit activities. The objectives Agency seeks to achieve from issuing these Guidelines are summarized as follows:

- a. Assist in ensuring banks' compliance with the Banking Monitoring Law and Regulations.
- b. Help prevent banks from being the victim of fraud, money laundering and other illicit activities.
- c. Maintain the reputation of banks and the Saudi banking system.

#### Second: Money Laundering Process:

It is known that the money laundering process undergoes three important phases, starting with PLACEMENT, where the criminal or drug dealer attempts to place the cash received from his illegal activity in the banking system

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1. **Placement:** The criminal or drug dealer places the funds obtained through illegal activities in the banking system.
2. **Layering:** The criminal or drug dealer aims to cover up the source of the funds obtained and disguises the relation between these funds and its illegal source through a series of normal commercial transactions.
3. **Integration:** The laundered funds become part of other legal funds in the economy so that it is difficult to differentiate between the laundered funds and those from legal sources. Money laundering transactions are carried out through different methods. These include the compounding process when large amounts are apportioned into smaller ones so that they are deposited in the bank without raising suspicion. The methods also include internal collusion of bank employees and other processes such as money transfers, acquisition of assets (real estate, shares etc.), purchase of cash instruments (e.g. travellers' and bankers' cheques), electronic or telex transfers, deposits via ATMs or placements of the fund through fictitious companies established for that purpose. While all these methods are used, electronic or telex transfers are the most common methods by which criminals and drug dealers launder their funds.

### 3. Legal Responsibility of Banks:

The Saudi Arabian Monetary Agency has the authority under Article 16 (3) of the Banking Control Law, to issue general rules with the approval of the Minister of Finance and National Economy regarding various matters, including the fixing of terms and conditions which banks should take into consideration when carrying out certain types of transactions for their customers.

Over the years, the Agency has issued a number of circulars that were aimed at encouraging banks to immediately report any suspicious or unusual transactions to the authorities and the nearest police station. These Circulars are listed hereunder.

Circular No.	Date
MIA/98	16-5-1403 H.
3151/M/A/71	14-3-1407H.
M/A/61	19-3-1408 H.
MIA/73	19-12-1409 H.
4521MIA/10	10-1-1411 H.
M/A/3028	21-9-1413 H.

Under the provisions of the Banking Control Law and these regulations a Bank

This is followed by an attempt to cover up the relationship between these funds and their criminal sources through several consecutive banking transactions in what is commonly known as the LAYERING phase. Finally, the INTEGRATION phase, where laundered funds are integrated into the economy, making it difficult to distinguish between them and funds from legitimate sources.

During the execution of the previous three phases, banks may be exploited in several ways, including the (Smurfing) method, where the large amount of money is divided into small amounts so as to facilitate their deposit into bank accounts without raising any suspicion. There is also internal collusion by the bank employee to facilitate the laundering process, as well as bank transfers, the purchase of assets such as real estate and shares, the purchase of cash instruments such as bank and traveler's cheques, as well as electronic or telex money transfers, the use of ATMs to make deposits, or the establishment of fictitious companies through which dealings with banks are conducted.

The methods used for money laundering are many, but the most common method is electronic and telex transfers.

### Third: Bank's Legal Liability:

Article (16.3) of the Banking Control Law gives the Agency the authority, with the approval of the Minister of Finance and National Economy, to issue general laws related to various topics. This includes issuing and approving clauses and requirements that banks must take into account when carrying out certain types of transactions for the benefit of their customers.

The Agency has, for a long time, been urging banks to report any suspicious or seemingly abnormal financial transactions to the nearest criminal investigation department or the police using the quickest means possible. This was mentioned in the circulars addressed by the Agency to banks, including the following:

Date:	Circular number
16/05/1403 H	M/A/98
14/3/1407 H	3151/M/A/71
19/03/1408 H	M/A/61
16/12/1409 H	M/A/73
10/01/1411 H	452/M/A/10
21/09/1413 H	M/A/3028

Under the Banking Control Law and the relevant instructions, banks shall be responsible for the actions of their employees while performing their work, including failing to report any transactions suspected of being money laundering to the competent authorities despite the strict instructions of the Agency issued in this regard.

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shall be held responsible for the action or inaction of its employees, including their failure to notify the concerned authorities of any suspected money laundering transactions. If it is proven that a Bank or its employees failed to comply with these Circulars, they shall be subjected to penalties prescribed under Article 23 paragraph 5 of the Banking Control Law.

Furthermore, employees who facilitate money laundering transactions by either being directly involved in these transactions or by intentionally not notifying concerned authorities for personal benefits shall be subject to Article 24 of the Banking Control Law, and penalties specified under Article 23 paragraph 5. In addition, employees who facilitate money-laundering transactions are also subject to Article 83 of the Saudi Arabian Labour Law issued under Royal Decree No. M/21 dated 6-9-1389 H, which prescribes cases when an employer may terminate the service contract of his employee without prior notification. These cases include: failure to fulfill obligations under his contract of service; failure to comply with legitimate instructions; commission of a dishonorable act; commission of an act to cause a loss to an employer either intentionally or by negligence; etc.

The Agency considers Article 23 of the Banking Control Law as an important element in prevention of the use of Banks for money laundering activities. The Agency expects that Banks will also impose other penalties against any employee who is proven to be involved in a money laundering transaction, or in facilitating such a transaction or for his failure in notifying the concerned authorities when he came across a suspicious transaction.

#### 4. General Policy Requirements

1. **Detection and Prevention:** Saudi Banks should train and educate their employees to enhance their understanding of money-laundering and its relationship with criminal activities. As employees become familiar with such activity, they can play an effective role in combating money laundering through prevention and detection measures.
2. **Deposit or Fund Taking:** Saudi Banks should take care when accepting deposits or other funds. If it is suspected that a deposit is, or forms part of funds obtained through illegal activities, then these funds should be accepted in the normal manner, following correct procedures. Under no circumstances should

In the event that the Bank or its employees are found not complying with the aforementioned circulars, the penalties set forth in Article 23.5 of the Banking Control Law shall apply. As for bank employees who facilitate money laundering either directly or by intentionally failing to report suspicion of such transactions in order to achieve a personal interest despite their knowledge of the requirement to notify, they shall, pursuant to Article (24) of the Banking Control Law, be subjected to the penalties prescribed in Article (23.5) of the same Law. These employees shall also be subject to Article (83) of the Labor Law promulgated by Royal Decree No. M/21 dated 6/9/1389 AH, which stipulates the cases in which the employer may terminate the contract of the concerned employee without prior notice. These include:

- If the employee fails to perform his obligations under the employment contract or obey the legitimate instructions.
- If the employee is proved to have adopted a misconduct or to have committed an act affecting honesty or integrity.
- If he deliberately committed any act or negligence with intent to cause material loss to the employer.

The provision of Article 23 of the Banking Control Law constitutes an important element in combating money laundering by exploiting the banking system in this regard.

The Authority also expects banks to impose the necessary and appropriate penalties against the employee who is proved to be involved in a money laundering transaction, or in facilitating such transactions, or for his failure to report his suspicions when coming across a suspicious transaction.

#### Fourth: General Guidelines:

- 1- **Detection of and Combating Money Laundering Transactions.**  
Saudi banks shall train and educate their employees to enhance their knowledge about money laundering operations and their relationship with criminal activities so that the employee is careful and aware of the risk they may be associated with considering that laundered funds are collected from illegal activities, in order to play a major role in combating money laundering operations.
- 2- **Deposits and Withdrawals**  
Saudi banks shall report when any deposits of funds suspected to have come from illegal or illegitimate acts are accepted

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the customer be alerted to any suspicion. The suspicious deposit should be reported to the Police and SAMA and no transfers or withdrawals should be allowed from account until authorized by the Police or SAMA.

3. **Cooperation.** Saudi Banks should cooperate, locally and internationally to combat money-laundering through exchange of information with banking supervisors and appropriate law enforcement agencies, when they discover or suspect money laundering transactions. However, at the same time they must follow the legal and regulatory procedures that are aimed to protect customer confidentiality and banking secrecy.
4. **Encourage Crime Prevention:** Saudi Banks should encourage their clients to use non-cash payment instruments such as cheques and credit cards. They should develop modern technologies to prevent criminal use of banks and help their customer use such technologies.
5. **Internal Directives.** Saudi Banks and their foreign branches if any, are required to follow these instructions and to issue internal directives for use by their employees. Where local money laundering legislation has been established then it must be adhered to.

## 5. Specific Policies and Guidelines

### 5.1. Internal Control Systems

1. A Bank should design and develop internal control systems to combat money laundering transactions. Such systems should include detailed written policies and procedures for preventing the use of the Bank's branches and operations by money launderers and for detecting such transactions.
2. These policies and procedures should include special instructions on money laundering and in particular emphasize the "know your customer" principle.
3. A Bank should develop a system for internal reporting of transactions and account movements that could facilitate detection of such transactions. A Bank should use specialized software that is available in the market to detect unusual patterns of transactions and trends to indicate criminal activities. These normally include the following:
  - i. Report of movements and balance in current accounts for all customers and employees. These reflect all account movements and balances during a specified

### 3- Collaboration

Saudi banks shall cooperate with each other and with external banks in the field of anti-money laundering by exchanging information about detected cases of money laundering operations and suspicious transactions, provided that this is within the limits of legal procedures and the maintenance and confidentiality of their information.

### 4- Encouraging Anti-Money Laundering Activities

Banks shall encourage their customers to use non-cash instruments in their transactions, such as cheques and payment cards, by developing modern and secure technologies for managing money and providing them to customers.

### 5- Internal Directives

These Guidelines shall be adopted by Saudi banks, whether for their local or foreign branches, if any, and they shall be keen on implementing them and issuing internal instructions for their implementation.

## Fifth: Special Policies and Instructions

### (1) Bank's Internal Control System

- 1- The Bank shall establish a good internal control system for combating money laundering. This system shall include written policies and procedures that ensure that the Bank's branches and operations are not exploited by money launderers and that such operations are detected.
- 2- These policies and procedures must include specific directives on money laundering, especially those that emphasize the principle of Know Your Customer.
- 3- Design a robust system for the internal reports issued by the Bank's operations that help for this purpose. These proposed reports include the following:
  - **Reports on Current Account Movements and Balances:**

These reports shall include all accounts at the Bank, whether for customers or employees. They shall indicate all transactions performed on each account during a specified period of time (monthly or quarterly), whether they are deposits, cash withdrawals or cheques.



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period (month or quarter), identifying each transaction and the relevant dates. This enables any extra-ordinary or unusual transaction to be detected easily.

- ii. **Bank Draft Report:** This should include all incoming, outgoing local and international drafts. The amount and currency of each draft, means of payment by customer, and correspondent bank should be noted. The draft report should reflect the number of transactions and values with every correspondent bank and highlight any significant increase in such transactions.
  - iii. **Significant Transactions Report:** This should include all telegraphic transfers affected via telex, Swift and other means. The amount, currency, correspondent bank, and the beneficiary must be noted. The report should highlight number of transactions, and values for each correspondent bank, and highlight any trends etc.
  - iv. **Significant Transactions Report:** These should include all transactions which exceed SR. 100,000. Significant transactions report should identify accounts to which these transactions are related and the sources of these large amounts.
  - v. **Report of Minor Amounts:** These are special reports which identify certain patterns of small transactions that are aimed at detecting money laundering through either cumulating of minor amounts into a large balance or transfer or conversely apportioning of a large amount into minor transactions to evade suspicion.
4. The internal audit and control units in the Bank should ensure that bank employees at all levels and in all areas are following the Banks' policies and procedures for combating money-laundering.

## 5.2. Know Your Customer:

In general, this principle is aimed at ensuring that Banks are fully knowledgeable about their customers and are aware of their bank dealings. The application of this principle should not affect the relationship of a Bank with its reputable customers. Banks should apply the following procedure for implementing this principle.

- i. No account should be opened or banking services provided for customers without proper identification or under fictitious names.

They shall also include the account balances at the end of the month, the average balance during the month, and the number of transactions carried out, thus making it easy to identify any abnormal activity in these accounts.

### • Fund Transfers/Remittance Reports:

These reports shall include all incoming, outgoing, internal and external transfers and specify the amount of each transfer, the currency used, and the method of payment, whether in cash or cheque, for each client separately. They also indicate the volume of dealing with each correspondent bank and any significant increases in the volume of this transaction.

### • Reports on the movement and balances of correspondent accounts:

These reports shall include all wire transfers executed by telex, SWIFT or any other means. They shall specify the amount, currency, correspondent bank and beneficiary name. They shall also indicate the number and volume of dealing with each correspondent bank and indicate any other changes.

### • Large Transactions Reports:

These reports shall include all transactions exceeding (SAR 100,000) as such transactions require more diligence and scrutiny. These reports help in identifying the accounts in which such transactions are conducted, and thus the source of such large amounts.

### • Minor Amount Transactions Reports:

These reports shall include all transactions with small amounts. They help identify large amounts formed by accumulating small amounts or vice versa, and help identify customers who convert large amounts by breaking them down into small amounts to avoid suspicion.

- 4- The Bank's internal audit and control units must ensure that all bank employees at all levels follow the bank's policies and procedures regarding combating money laundering operations.

## (2) Know Your Customer

In general, the Know Your Customer principle aims to ensure that banks are fully familiar with their customers and their banking transactions, but the application of this principle must not affect the bank's relationship with its customers who enjoy a good reputation. The following are the procedures that must be followed by banks to apply this principle:

- 1- Prohibit the opening of any anonymous accounts or accounts under pseudonyms or provision of any service to such clients.
- 2- Identify any customer who opens a new account or has a business relationship with the customer.

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- ii. Identify any client who opens a new account or has a business relationship with the Bank.
  - iii. Identification should be made by reference to proper, official documents in accordance with previous SAMA Circulars regarding customer identification.
  - iv. Identification is not limited to customers that have accounts with the banks; it should also include those who benefit from other bank services such as renting of safety deposit boxes and large cash transfers and foreign exchange transactions.
  - v. A copy of customer's identification documents should be obtained by the bank when a new account is opened, a major service is rendered, or a large transaction is carried out.
  - vi. Bank employees should take note and immediate action (such as informing the Branch Manager) if any customer attempts to conceal his identity during opening of a bank account or a major transaction.
  - vii. Periodically (as a minimum every five years) updating of the documentation and information of old account should be carried out.
  - viii. If the Bank has any suspicions about the information being given by the customer, it should use other means of verifying such information e.g. verifying home and office telephone numbers by calling such numbers.
  - ix. The following procedures should be followed as a minimum where opening a **Personal Account for an individual**:
    - \* The Bank should obtain proper identification of the customer as stipulated by SAMA Directives.
    - \* The Bank should seek information on the customer's business, or job title and ascertain the accuracy of such information.
    - \* The Bank should be aware of the sources of customer's deposits, particularly those of significant cash amounts.
    - \* The Banks should seek information on a customer's dealings with other banks with which he deals and seek information from such banks about their dealing with the customer.
    - \* A Bank may identify a customer from its own previous dealings with a customer where he had previously opened a deposit or a loan account with the Bank.
- 3- Customer identification must be determined based on official identification documents, as per the instructions contained in the agency's circulars in this regard.
  - 4- Identification shall include all customers benefiting from the services provided by the Bank, even if they do not have an account with the same bank. These services include renting treasuries and large cash transactions such as transfers and foreign exchange.
  - 5- A copy of the customer's ID must be obtained, whether when opening new accounts, when benefiting from banking services, or when carrying out a large customer transaction.
  - 6- Pay full attention to any unusual operation carried out by the customer to hide or obscure his true identity from the bank employee when opening a new account or during his dealings with the bank, prepare a memo thereon and take immediate action (such as notifying the branch manager).
  - 7- Update the information of old account holders periodically and continuously (at least every three years).
  - 8- If the credibility of the information given to the bank by the customer is suspected, the bank shall attempt to verify its authenticity in the manner it deems appropriate, such as a telephone call to the home or workplace.
  - 9- The following minimum procedures must be taken when opening a personal account or providing any service to such customers:
    - Identify the customer's true identity in accordance with the instructions contained in the Agency's circulars.
    - Identify, follow up and verify the nature of the customer's commercial or occupational activity.
    - Identify the source of the funds deposited at the time of opening the account, especially large cash deposits.
    - Determine the customer's identity through his relationship with other banks with which he deals to obtain information from these banks regarding their dealings with the customer.
    - Identify the customer who previously obtained or had a previous loan (e.g. deposit account) with the bank.

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- \* Where a bank employee provides a reference for the customer, or introduces the customer, the identification procedures should still be fully applied. While employee knowledge of a customer provides additional comfort it should not lead to any compromises in applying specified procedures.
- \* If a customer's mailing address is far from the location of branch where he is opening an account, the Bank should investigate the reasons why the customer has opened an account in that Branch.
- x Procedures to be followed when opening a Current Account or a Joins Account for a Business Entity:
  - \* The Bank should obtain original documents or authenticated copies which identify the legal identity of the customer, details about its activities etc. as prescribed in the customer agreement.
  - \* The Bank should collect direct or indirect information about the business enterprise from other banks and sources.
  - \* The Bank should ascertain the propriety of the information provided by the enterprise, when opening an account by other means such as ascertaining the address by a telephone call.
  - \* Bank employees should visit the enterprise's location, if possible, to get acquainted with the nature of the enterprise's activities.
  - \* The Bank should know the sources of deposits, specially large cash deposits when an account is being opened.
  - \* The Bank should obtain the following information when an enterprise is opening a significant account:
    - The financial structure of the enterprise and its annual financial statements.
    - Description of the services and business
    - List of significant suppliers, customers and their locations.
    - Description of the geographical coverage where the enterprise carries out its activities.
    - Transactions with internal entities.
  - \* The Bank Branch where a customer has his account shall be responsible for carrying out the above requirements and following instructions, even when their customer may choose the Bank's other branches to carry out transactions. The other Branches must contact the account opening Branch before carrying out such transactions.
- In case the customer is aknownto a trusted bank employee, the identification procedures must be completed.
- In case the customer's address is afar way from the branch, the bank should know the reason for opening accounts at that particular branch.
- 10- Procedures to be followed when opening a current account or a joint account for institutions or companies:
  - Ensure that the authentic documents specifying the type of the establishment or company and the nature of its formation and incorporation are obtained as stated in the Account-Opening Contract.
  - Directly or indirectly inquire about the company or establishment at other banks or any other sources.
  - Verify the validity of the information given by the company or establishment upon opening the account, such as verifying the address by calling its headquarters.
  - If possible, visit the headquarters of the company or entity, as this is important in identifying the nature of its operations and activities.
  - It is necessary to identify the source of the funds deposited by the customer at the time of opening the account, especially large cash deposits.
  - For large corporate accounts, the Bank shall obtain the following information:
    - The Company's financial structure and annual financial statements.
    - A description of the services and businesses it conducts.
    - A list of its most important suppliers, and those dealing therewith and their business locations.
    - A description of the area in which the company operates.
    - Any transactions with related parties.
- 11- The branch in which the customer account is opened shall be responsible for complying with the mentioned requirements and directives, even when the customer chooses another bank branch to carry out their transactions, provided that the latter branch contacts the branch in which the customer account is opened before proceeding with the execution of the said customer's transactions.



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- \* When a customer opens an account on behalf of another person or a joint account, the Branch must seek all appropriate information on both the person opening the account and the account holder.

### 5.3 Referral of Business

1. There is a strong tradition within a Bank of referring business between branches and subsidiaries. Frequently the referring office provides a minimal amount of information about the customer and the commercial rationale of the transaction(s) to the referred office. It is a recognized business objective that the Bank will cross-refer and cross-sell business, but this must be done in such a way as to comply with any local rules regarding "know your customer".
2. These rules normally require each office to
  - a). Take all reasonable steps to identify fully customers bonafide, including beneficial customers.
  - b). Take all reasonable steps to enable suspicious transactions to be recognized.
3. This includes, without exception, customers referred by other branches and subsidiaries and transactions undertaken and services provided for the benefit of such customers.
4. Reasonable steps to enable suspicious transactions to be recognized will include:
  - \* Obtaining a reasonable understanding of the normal character of the customer's business; and
  - \* Having a reasonable understanding of the commercial basis of the transaction to be undertaken or service to be provided. What is a reasonable understanding will depend upon the complexity of the business and transactions concerned. For example high value or high volume transactions, especially if the transactions or the customer type is one regarded as high risk from a laundering viewpoint will require customer and transaction information in considerable detail.
5. Relevant information should be obtained from the referring office, who should have obtained such information from the customer before the referral is made. If the party concerned is not banking with the referring office, this

- 12- The branch shall obtain all the necessary information about the person opening the account and the account holder when the customer opens the account on behalf of another person or opens a joint account.

**(3) Exchange of Information:**

- 1- One of the main traditions of banks is to exchange information on activities and business with each other and with branches and subsidiaries. These departments provide each other with information about their customers and the reasonableness of their business operations with the aim of identifying the purpose of these businesses by linking them to the available information and services provided, without prejudice to the local provisions and laws regulating "know the customer" operations.
- 2- The provisions and laws governing the "Know the Customer" process require that each department shall:
  - a- Take all necessary measures to distinguish customers with suspicious conduct and customers who benefit from suspicious transactions.
  - b- Take the necessary measures to identify suspected banking operations.
- 3- This clause includes, without exception, mutual customers between branches and other allied companies, as well as transactions and services provided for the benefit of such customers.
- 4- Steps to be taken to identify suspicious operations shall include the following:
  - Obtain sufficient information about the business nature of the customer's activities.
  - Know and understand the business basis of each transaction or service provided to the customer.

The reasonableness of understanding transactions and services depends on the complexity of the business or transaction. For example, when the value or number of transactions increases, especially if the customer (or the transaction) is classified as a global risk transaction from the point of view of money laundering, this requires highly detailed information about the customer or the transaction.

- 5- Appropriate information must be obtained from the branch providing this information, which must be obtained from the customer before the transfer is completed. If the customer does not have a banking relationship with the transferring party,

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should be clearly stated and the reason for making such referral should be given. This information must include:

- a). Customer's name and address as verified by referring office.
  - b). A brief summary of the customer's business, and the business basis or purpose of the transactions or services (for continuing relationships periodic update will be required)
  - c). A confirmation that the office knows of no reason why the referred office cannot accept the business
6. Where a foreign branch, subsidiary or associate refers business to a bank in Saudi Arabia, in addition to the above procedures, the bank should seek full business rationale for the referral, and determine whether it would comply with Saudi laws and regulations. If the referred office determines that it has insufficient information to enable it to accept the referral, the business must be declined and the referring office notified.

#### 5.4. Retention of Records and Documents

1. Banks should retain all documents and records relating to their operations in accordance with normal banking practices, for ease of reference in their own use, and for use by supervisory authorities, other regulators and auditors.
2. Banks should retain in original form the following documents;
  - \* Account opening documents.
  - \* Customer identification documents.
  - \* Documents relating to operation of customer accounts including all correspondence with the customer.
3. Banks should also retain the following documents and records;
  - \* Records of a customer transaction.
  - \* Details of customer accounts and balances.
  - \* Documents relating to a local or a foreign transaction.
  - \* Accounting entry documents.
  - \* Subsidiary ledgers related to customers, debit and credit notes, deposit slips and cashed cheques.

this should be explained together with the reasons for the exchange of information, so that the information should contain the following:

- a- The customer's name and address as verified by the branch or department.
  - b- A brief overview of the customer's business and activities, the business basis, or the objective of the transactions or services (requires updating this information periodically if the relationship continues).
  - c- Confirmation from the branch or the department exchanging information that it does not have a clear reason for not accepting the business.
- 6- When business is referred from a foreign bank or bank branch to a Saudi bank, and in addition to the above procedures, the Saudi Bank shall investigate the commercial feasibility of the transfer and verify whether it is in line with Saudi laws and regulations.
- If the office to which the referral is made decides that it does not have sufficient information to enable it to accept the referral, it shall, in this case, reject the business and send a statement to the referring office accordingly.

#### (4) Retention of Records and Documents

- 1- In accordance with Royal Decree No. M-61 dated 17/12/1409 AH, banks shall prepare and maintain documents and records related to their operations and transactions with their customers for easy reference when needed, whether by the bank itself or by the competent authorities, regulatory and supervisory authorities or auditors.
- 2- Banks shall retain the original documents for a period not less than ten years after the account is closed:
  - Account opening documents.
  - Customer identification documents.
  - Account file documents including reports and correspondence exchanged between the bank and the customer.
- 3- Banks shall retain the following documents for a period not less than ten years:
  - Documents concerning customer's transactions.
  - Data related to customer accounts and balances.
  - Records and documents of domestic and foreign transactions carried out by the Bank.
  - Accounting entry documents used in the transaction.
  - Customer ledger entries and documentation such as debit notes, deposits and drawn checks.

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#### **5.5. Money laundering Control Unit:**

A Bank must establish a money laundering control function in the organization, to prevent, detect and combat money-laundering activities. This function should be responsible for developing policies and procedures, ensuring compliance and follow up and receiving information on suspected money-laundering activities and transactions. It should also be responsible for reviewing, studying and investigating any suspected money laundering activities and notifying appropriate authorities when required. It should also participate in developing and implementing policies for training of banks' employees in special programs. Preferably in large banks such function could be housed in a separate Money laundering Control Unit. In medium sized and smaller banks this function could be carried out from special units within the internal audit, fraud prevention or other internal control units.

#### **5.6 External Audit:**

The external auditor of a bank is responsible, among other things, to examine the bank's policies, procedures and internal control systems aimed at combating money laundering activities. He should also test the enforcement of such policies and procedures. The result of his tests and any observations arising therefrom must be reported as part of his letter to management and if significant to SAMA.

The external auditor should notify the Bank's management of any suspicious transactions that he identifies during the performance of his duties. The management, can then decide on the appropriate action, with or without further collaboration from the external auditors, and reporting to authorities. The external auditor should keep fully aware of the action taken by management, and where in his opinion this was not satisfactory, consider direct contact with the authorities.

#### **5.7. Electronic Funds Transfer Systems:**

Modern technology such as electronic fund transfer and payment systems that make a fast, efficient and secure fund transfer possible are equally useful to money-launderers for their activities. Consequently, banks must pay particular attention to prevention and detection of money-laundering when designing and implementing such EFT systems.

#### **(5) Anti-Money Laundering (AML) Unit**

The Bank must pay special attention to combating money laundering operations by establishing an anti-money laundering unit.

The Unit shall be responsible for developing the necessary policies and procedures to combat money laundering, ensuring the Bank's compliance with them, and conduct follow up procedures. It shall also be the responsibility of this Unit to combat money laundering and study, document, verify, and, if proven, report any suspicious money laundering transactions. This Unit further provides advice and opinions to the Bank's employees regarding these suspicious transactions, clarifies the relevant internal instructions, and participates in internal training for the Bank's employees. It is preferable for large banks to establish a separate AML unit. For medium and small banks, private units in the Internal Audit Department, fraud prevention, or any other internal control units may carry out this mission.

#### **(6) External Auditor**

The External Auditor of the Bank's accounts shall, as part of its duties within the scope of the audit, monitor, audit and apply the AML guidelines, ensure that the Bank has appropriate policies and that its internal control system is adequate, and shall include the findings of its audit in the aforementioned management report, which shall also be submitted to the Saudi Arabian Monetary Agency. In carrying out its usual work as an auditor, it shall also notify the bank's management of any transaction suspected of money laundering, and then the management shall decide on the appropriate action to address this either in cooperation with the external auditor or separately and report the same to the competent authorities. The auditor shall be fully familiar with the management procedures and whether these procedures are not appropriate in its opinion. In such case, it shall contact the competent authorities directly.

#### **(7) Automated Transfer Systems**

Modern technology, such as automated transfer and payment systems, is considered necessary to facilitate transfer and payment processes, speed of performance, efficiency, and security. It is also considered equally useful for the purposes of money launderers. Therefore, when monitoring these systems, banks must be careful to prevent the exploitation of these systems by money launderers.

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It is possible that money-laundering transactions can pass through these systems when funds are moved from one account to another through local and foreign banks, making it difficult to trace or verify these transactions. Therefore all banks must implement procedures to identify the remitters and the beneficiaries for A transactions, by obtaining complete information on them. This should include their names, addresses, account numbers and any other relevant information that could be useful in subsequent follow-up and investigation by the Bank or the authorities.

#### 5.8. Employee Training:

1. A Bank must develop a regular training program for all its employees for acquainting them with money laundering transactions, their nature, indicators, risks to the bank etc. They should also train them in methods to prevent and detect money laundering activities and procedures for notifying senior management, internal control units and for informing SAMA and police authorities.
2. A Bank must have more extensive training programs for employees who deal directly with customers or those who have direct responsibility for detection and investigating money-laundering. These training programs should encourage employees to be reliable and trustworthy for controlling money laundering. It should also emphasize that aiding or benefiting from money-laundering is a serious criminal offense and carries serious penalties.

#### 5.9. Alerting the Authorities of Suspicious Transactions:

1. A Bank should formulate internal policies and procedures to be followed by employees when they have reasons to suspect that a money-laundering transaction is taking place. These policies and procedures should be part of an internal operational manual and should clearly prescribe the actions to be followed by an employee in informing branch and H.O management. It should also prescribe actions to be taken to immediately inform the authorities i.e. Police and SAMA.
2. A Bank is not responsible for carrying out formal investigations of all customer transactions to search for possible money laundering activities.
3. However, a Bank should identify for use and

It is very possible for those involved in money laundering operations to exploit these systems in their operations by moving the amounts to be laundered between several accounts in different banks (internal or external) in a way that makes it difficult to follow up and verify the operations.

For this purpose, banks must be very careful and make sure to obtain complete information about the transferor and the beneficiary. Therefore, in the event of suspicion that the transfer is related to money laundering, the authorities and the bank's management will be able to refer to such information. Useful data for the identification of the transferor and the beneficiary includes (name, address, account number of the transferor, name, address and account number of the beneficiary).

#### (8) Employee Training

- 1- The Bank shall develop regular and appropriate training courses for the Bank's employees to educate them about money laundering operations, their risks, nature, indicators that may indicate their occurrence, methods of combating and prevention, and how to report suspicious transactions and the procedures followed in notifying senior management, internal control units, the Saudi Arabian Monetary Agency, the police and the competent authorities.
- 2- The Bank must have specific and intensive training for employees who deal directly with customers (individuals or companies) or employees who are involve in AML procedures at the Bank, as such training will help them be more reliable and credible. Employees should also be informed that aiding or benefiting from money laundering activities constitutes a serious crime, seriously punishable.

#### (9) Reporting Suspicious Transactions

- 1- The Bank shall develop an internal program that describes the procedures to be followed by the employee upon the occurrence of a suspicious transaction. The program shall also include the procedures necessary to be taken to notify the branch management, the headquarters and the competent authorities (police and the Saudi Arabian Monetary Agency).
- 2- It is not the responsibility of the branch to conduct systematic investigations of all customer transactions to look for possible money laundering operations.
- 3- Banks shall pay particular special to some transactions that have a different pattern than those of usual transactions.



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reference of its employees, distinct patterns of customer behaviour or unusual patterns of transactions that could indicate money laundering activities. These could be regular or periodic transactions of either very large or small amounts. These can be without an apparent economic or acceptable purpose and often with parties operating from countries or jurisdictions that are known to have weak regulations for combating money laundering activities.

- 4- When a Branch management suspects that a money laundering transaction is taking place, it must immediately report it to the local police authorities and notify SAMIA through its head office Money Laundering Control Unit. There should be no time wasted in informing the authorities and SAMIA.
- 5- The Bank should make available to the police authorities and to SAMIA all documents and statements related to the suspicious transactions and its related parties. It should fully cooperate with the authorities and follow their instructions in this respect.
- 6- It is a criminal offense for bank employees to help anyone they know or suspect to be involved in money laundering activities. If an employee thinks that a transaction is related to criminal activity it must be reported.
- 7- The notifying Bank and its employees are free of any blame or charge in respect of the notification, whether or not their suspicion is proved to be correct, as long as their notification was made in good faith.
- 8- A Bank should not inform the suspected client of its notification to the authorities but should exercise more caution in its dealings with him.
- 9- Notification of suspicious transactions to the authorities does not conflict with the provisions of the banking secrecy and customer confidentiality under the Saudi Banking Laws and Regulations.

#### 5.10. Delivery of Documents to Authorities:

A Bank should have written policies and procedures that must be followed by responsible employees for making information and documentation available to local and foreign authorities. These policies and procedures should include the following:

- 1- The person or persons in a Branch or at the Head office that shall be responsible for informing the authorities (Police, SAMIA) when money-laundering is suspected.
- 2- The manner and form in which they shall

Examples of this include transactions with large amounts or carried out with small amounts at regular periodic intervals without an acceptable purpose or clear economic reason, or transactions conducted with other parties from countries where adequate controls are not applied to combat money laundering operations.

- 4- If money laundering or any activity related thereto is suspected, the branch management shall notify the security authorities as soon as possible and notify the Agency accordingly.
- 5- The Bank must provide everything related to the reported transaction in terms of adequate documents and information about the transaction itself and the related parties, cooperate with the competent authorities, and work in accordance with their directives.
- 6- Every employee, upon discovering or suspecting a money laundering transaction, must report it in accordance with the bank's established procedures, as failure to report, or warning or assisting those involved in money laundering transactions may result in financial and legal consequences for the employee himself.
- 7- The reporting bank or employee is exempt from any liability as a result of such reporting, regardless of whether or not the suspicion is proven true, as long as the report was made in good faith.
- 8- The Bank shall not warn the relevant customer of the suspicious transaction, as long as the relevant information is communicated to the competent authorities. Further, it is not permissible to stop dealing with the reported customer. It is sufficient to conduct further investigation and exercise caution with regard to the transactions he carries out.
- 9- Reporting suspicious transactions to the competent authorities is not incompatible with the bank confidentiality and customer confidentiality requirements stipulated in Saudi banking laws and regulations.

#### (10) Document Submission to Competent Authorities

The Bank must have written policies and procedures to be followed by the concerned personnel to provide local and foreign authorities with the information and documents required by those authorities. These policies and procedures include:

- 1- The employee or employees in the branches or main branch who are responsible for informing the authorities (the police and the Saudi Arabian Monetary Agency) when a money laundering operation is suspected.
- 2- The manner and form in which these employees should report to the above authorities.

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- contact the authorities and pass information to them.
3. Where documents and records are to be provided to the authorities, the form of such documentation (original or copies) and the receipt and forms to be used for providing and receiving such information by authorized personnel.
  4. When information is to be provided verbally, the manner and form of such information.
  5. In some instances, depending upon the case, a new or a different procedure may need to be developed. The person or persons authorized to develop such procedures must be identified at branches or and head office.
  6. Where information and documentation is sought by or is to be provided to a foreign law enforcement authority, the Bank must seek permission of SAMA and local authorities before passing any documents, records or information. Normally such information exchange actions are carried out in collaboration with local authorities.

**6. Effective Date**

These guidelines are effective from the date of the accompanying circular.

- 3- The nature of the documents (original or copies), receipts and forms that must be used to inform the authorities of the information and to receive the information therefrom when submitting these documents to the authorities.
- 4- The method that may be followed in reporting to authorities if such reporting is verbal.
- 5- In some cases, new procedures may be required for notifying authorities of a suspected money laundering transaction. The employee or employees of the branches or main branch authorized to initiate such procedures must be identified.
- 6- The Bank must obtain the approval of the Saudi Arabian Monetary Agency and the local authorities when the information and documents in question are required from or by a foreign legal authority before communicating such information and delivering such documents, as such information is usually exchanged in cooperation with local authorities.

**Sixth: Effective Date**

These Guidelines shall be effective from the date of their issuance

## **Appendixes**



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## Appendix- 1

**EXAMPLES OF WEAKNESSES IN  
PROCEDURES IN A BANKING SYSTEM  
THAT ENCOURAGE MONEY  
LAUNDERING**

Any country or a geographical region that has weaknesses in its legal and regulatory framework can be exploited by money-launderers and can become a center for money laundering. As money laundering transactions normally require a long period to complete their three stages, money launderers often seek countries with serious shortcoming in their laws and procedures to base their operations.

The existence of following weaknesses in a legal system of a country can generally create an environment that is conducive for the money laundering transactions to penetrate its banking system:

- \* Adopting of strict and complete banking secrecy in respect of its banking system, thus hindering other concerned authorities from discovering money laundering transactions.
- \* Countries in which rules permitting registration of companies are lax and have few requirements and that particularly permit the use of bearer shares in company formation.
- \* Absence of any foreign exchange controls on incoming and outgoing funds.
- \* If a country does not require a strict application of the "know your customer" principle, thus facilitating the opening of untraceable numbered accounts or fictitious names.
- \* Facilitating the issuance of financial instruments payable to bearers by banks.
- \* Countries in which money laundering is not considered a crime.
- \* Countries that do not require banks to notify the concerned authorities of large or unusual fund transfers.
- \* Countries that do not necessitate notification of suspicious transactions to the concerned authorities.
- \* Absence of confiscation regulations, or lax enforcement or even non enforcement of such regulations if they exist.
- \* Countries that have significant dealings in outgoing foreign drafts transfers or cash instruments.
- \* Countries that are international markets of precious metals and where it is easy to transact such trades.

## Appendix (1)

**Examples of weaknesses in the procedures  
of banking systems that aid money  
laundering operations.**

There is a high likelihood that any country or region with weak legal or regulatory structure will become a center for money laundering. Money launderers look for legislative or procedural weaknesses to use in the passing and conduct of their criminal acts for as long as possible, especially since the nature of money laundering operations requires a long and continuous period to complete all three phases. The following is a list of cases that may be aiding criminals to carry out their money laundering activity:

- 1- Countries that follow absolute secrecy in their banking system, which hinders legal authorities from investigating money laundering operations.
- 2- Countries that allow the establishment of companies under favorable conditions, especially allowing the issuance of bearer shares upon establishing the company.
- 3- The absence of control over the exchange of foreign financial transactions upon entry and exit.
- 4- Cases where the principle of (Know Your Customer) is not applied strictly and through strong procedures, enabling the opening of anonymous accounts with names or numbers.
- 5- Cases of facilitating banks issuing cash instruments to the bearer.
- 6- Countries that do not criminalize money laundering.
- 7- Countries that do not require the reporting of large or abnormal transfers.
- 8- Countries that do not require reporting of suspicious transactions.
- 9- Absence of laws regulating the confiscation process or the existence of weak laws.
- 10- Countries with a large volume of overseas transfers or monetary instruments.
- 11- Countries with global precious metal exchange markets that are easy to deal with.

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- \* Countries permitting free trading of the U.S Dollar and particularly where banks are allowed to accept dollar deposits.
- \* Countries that have banking control laws that facilitate the establishment of banks particularly in free trade zones where supervisory controls or banking regulations are lax.

- 12- Countries where free dollar trading is allowed, especially countries whose banks are allowed to accept dollar deposits.
- 13- Countries with banking systems that facilitate the opening of banks and accounts, especially in tax-exempt or free trade areas where there is only a small amount of regulatory authority or banking controls.

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## Appendix - 2

### **MONEY LAUNDERING INDICATORS**

The purpose of this section on money laundering indicators is to increase the understanding of Banks' personnel of such transactions to help them in identifying any such activities. The existence of one or more of these indicators does not necessarily mean that a money laundering transaction is taking place but it should raise some concerns and lead to further investigations.

These indicators should be taken by Banks' personnel for guidance purposes only. These are not exhaustive and Banks' personnel should make efforts to add or amend these as required. Bank employees should depend on their skills and expertise to reach a sound judgement on suspected transactions.

#### **1. General Indicators**

1. The transaction whose general form is indicative of illegitimate or unknown purpose.
  2. Existence of movements in the customer's account not related to his activities such as:
    - \* Continuous cash deposits in companies and establishment's accounts.
    - \* Abnormal purchase of cashiers cheques and payments orders against cash.
    - \* Withdrawal of cash amounts after a short time of its deposit.
    - \* Large deposits of cheques, incoming drafts and payment orders that are inappropriate to the nature of customer's activity.
    - \* Large withdrawals or deposits inconsistent with customers activities.
  3. Transactions for unknown objectives which do not adhere to activity of the company or its branches.
  4. Existence of a large number of deposits of small amounts whether in cash, cheques or incoming drafts and whose total amounts or the approximate total amounts, are transferred to another city or country in one transaction.
- #### **2. Indicators for Teller Transactions:**
1. Frequent cash deposits by the customer of dirty or excessively used notes.
  2. Cash deposits of large amounts whose source is apparently one of the banks in the same region.
  3. Exchange of a large amount consisting of small denominated notes with the same

## Appendix (2)

### **Indicators of Money Laundering Operations**

The aim of mentioning the indicators above is to increase bank employees' understanding of money laundering operations and associated banking activities, and thus to help them distinguish whether there is a money laundering transaction or not. The occurrence of one or more of these indicators does not necessarily indicate the occurrence of a money laundering operation, but rather indicates suspicion that requires careful investigation to ensure that the operation has occurred.

The following indicators should be taken for guidance and may not be considered complete in any way, which requires bank employees to diligently refine them and add to them whenever there are reasonable reasons. They should also rely on their expertise and capabilities to find a sound judgment about the suspected operation.

#### **Public indicators**

- 1- Transactions whose general form suggests that they may have an illicit purpose, or those that may have an unknown purpose.
- 2- The presence of transactions in the customer's account that are completely unrelated to his activity, including for example:
  - Constant cash deposits into the accounts of companies and commercial establishments.
  - Unusual purchase of bank checks and other payment orders using cash.
  - Withdrawal of cash sums shortly after they are deposited.
  - Numerous deposits of checks, incoming transfers and payments orders in a manner not commensurate with the nature of the business.
  - Occurrence of large withdrawals or deposits that are not commensurate with the customer's usual account activity.
- 3- Transactions that are not consistent with the usual activity of the bank or bank branch concerned and whose motives are unknown.
- 4- Having numerous deposits of small amounts, via cash, checks or incoming transfers, whose total amounts or slightly smaller amounts are then transferred to another city or country in one transaction.

#### **Over - the - Counter Banking Indicators**

- 1- The customer makes frequent cash deposits of dirty or extensively used banknotes.
- 2- Cash deposits of large amounts are clearly sourced by other banks in the same region.
- 3- Exchange of a large amount comprised of small denomination banknotes into the same amount and currency but in large denomination banknotes.

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amount and currency in bigger denominated notes.

4. Purchase by a temporary customer (who does not have an account in the same bank) of cashiers cheques or precious metal in large amounts.
5. Transfer by a temporary customer of amount outside the country without clear reason.
6. Deposit of large number of cheques or cash amounts by the customer or others without any withdrawals.

### 3. Indicators for Bank Accounts

1. Opening of more than one account by a customer in his name in the same bank without a clear reason, and existence of inter account transfer among these accounts.
2. Accounts opened in names of tellers in the bank who receive regular deposits or periodic incoming drafts
3. Payments or transfers by many persons to a single account whether in cash or through internal drafts
4. Opening by a customer of more than one account in the name(s) of his family members and being authorized to manage these accounts on their behalf
5. Opening the account by a customer with his continuous management of the account without him physically appearing in the bank or even not being known to the bank personnel for a long period of time.
6. The existence of bank accounts with address outside the region of the bank.
7. Existence of large number of movements of big amounts in the account while the balance is kept low or fixed.
8. Opening of many accounts by the customer with normal balances while the total represents a big amount.
9. Current or saving accounts used only to receive incoming drafts from outside in a continuous manner without any justifiable reasons.

### 4. Indicators for Credit Activities

1. Unexpected settlement, by the customer, of a loan due without disclosing the source of funds.
2. Obtaining a loan or credit facilities against guarantees issued by a bank operating outside the Kingdom without a clear commercial reason.
3. Submittal by the customer, of a company's shares of which the bank is unable to confirm

- 4- A temporary customer (who does not have an account at the bank) purchases a large volume of bank drafts or precious metals.
- 5- A temporary customer transfers money abroad for no apparent reason.
- 6- Large numbers of checks or cash sums are deposited by the customer or another party without having corresponding withdrawals.

### Bank Account Indicators:

- 1- The customer opens more than one account in his name at the same branch without a clear reason and has numerous internal transfers among these accounts.
- 2- Tellers' accounts opened at the branch receiving regular deposits and periodic incoming transfers.
- 3- A large number of individuals make or transfer payments into a single account, whether in cash or through internal transfers.
- 4- The customer opens more than one account in the names of his family members and manages those accounts on their behalf.
- 5- The customer opens an account and continues to use it without appearing at the bank or even without the knowledge of its employees for a very long time.
- 6- There are bank accounts at the branch for customers whose addresses are located outside the branch's district.
- 7- There are many transactions in the account for large sums but the balance continuously remains low and constant.
- 8- The customer has opened several accounts with normal balances but the total represents a significant amount.
- 9- Current accounts that are only used to receive frequent incoming transfers from abroad without clear reasons for that.

### Credit Activity Indicators:

- 1- The customer suddenly and unexpectedly pays off the loan owed to him or without a statement of the source of the cash.
- 2- Obtaining a loan or credit facilities against guarantees issued by a bank operating outside the Kingdom.
- 3- The customer presents the shares of companies whose activities the bank cannot verify as collateral to obtain a loan or credit facilities.

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its activities, as a guarantee for obtaining a loan or credit facilities.

4. Submittal, by unknown parties to the bank, of additional guarantees in favour of the customer such as mortgage of assets or warranties while the bank is unable to define the relationships with the customer or existence of justified reason for such guarantees.
5. The bank grants loans to customers having deposit accounts in foreign banks in a country having strict banking secrecy.
6. The bank grants loan to foreign companies without a justifiable reason.
7. The borrowing customer requests immediate transfer of loaned amount to other bank(s).
8. Use of credit facilities given to the customer for purposes other than that mentioned in the loan application.

##### 5. Indicators for Drafts

1. Frequent transfer of amounts to another bank without mentioning the name of the beneficiary.
2. Frequent transfer of amounts to foreign banks with instructions to pay in cash to the beneficiary.
3. The amount of draft does not fit with the physical appearance of the sender or the nature of his commercial activity.
4. Frequent transfers of big amounts to and from countries known to be a source for drugs.
5. The customer's intentional misrepresentation of information given to the bank.
6. Fragmenting a big amount into smaller amounts upon transfer.
7. Frequent transfers to banks in countries known with strict banking secrecy laws.
8. Frequent transfers of large amounts against cheques under clearing or not cleared.
9. Cash transfers in large amounts.
10. Deposits in different accounts and transfer of these amounts to a main account and then transferring it outside the Kingdom.
11. Request of the customer to the bank to transfer amount to foreign banks against incoming drafts to the same account with equivalent amounts.
12. Incoming drafts used immediately to purchase financial instrument such as (certificates of deposit, cashier cheques...etc) in favour of other parties.
13. Continuous purchase of drafts by certain customers.

- 4- Parties unknown to the bank provide additional guarantees, such as mortgaging assets or providing sureties for the benefit of the customer, without the bank being able to discern any close relationship connecting them to the client or a clear justification.
- 5- The bank grants loans to customers with offshore bank accounts that are strictly confidential.
- 6- The Bank provides loans to external companies without clear justification.
- 7- The borrowing customer requests that the loan be transferred quickly to another bank or banks.
- 8- Use of the credit facilities granted to the customer in areas other than the purpose specified when upon applying for the loan.

##### Funds Transfer Indicators

- 1- Frequent transfer of sums to another bank without indicating the beneficiary's name.
- 2- Frequent transfer of sums abroad with instructions to pay the beneficiary in cash.
- 3- A transfer amount that is not proportionate with the transferor entity or the nature of its business activity.
- 4- Large and frequent transfers from and to countries known to be exporters of narcotics.
- 5- Intentional deceit on the part of the customer by providing false information to the bank.
- 6- Dividing the amount of a large transfer into smaller amounts when making a transfer.
- 7- Frequent transfers to banks known for their absolute secrecy.
- 8- Large and frequent transfers against cheques that are not yet cashed or have not been cashed.
- 9- Cash transfers of large amounts.
- 10- Amounts are deposited into different accounts, subsequently transferred to a main account, and then transferred outside the Kingdom.
- 11- The customer asks the bank to transfer amounts from their account [to accounts] abroad, with transfers having been received into the same account in amounts corresponding to the amount being transferred.
- 12- The transfers are used upon receipt to purchase cash instruments (bank cheques, certified checks, etc.) for the benefit of another party.
- 13- Concerned clients purchase remittances on a permanent basis.



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14. The customer's frequent deposits in his account of cashiers cheques issued by foreign banks.

#### 6. Customer Indicators .

1. The customer avoids declaring his actual identification while processing the transaction or even providing incorrect information.
2. The customer tries to transfer large amounts and he withdraws his application because of his fear of informing concerned authorities about the transaction.
3. The customer tries to influence the bank employee not to inform the concerned authorities about a suspected transaction.
4. The customer refrains from providing information about his previous and current commercial activities and banking transactions and relationships.
5. The bank is doubtful of customer's identification for any reason.
6. The customer who opens account without having a local address or persons to identify him.
7. The customer gives his special instructions to process his transactions by fax or telex without a justified reason to use this media.

#### 7. Bank's Personnel Indicators

1. An employee whose standard of living is not commensurate with his salary.
2. An employee who works for very long periods without requesting vacations.
3. Connection of employee with many doubtful transactions while performing his duties.
4. The employee tries to facilitate rendering of banking services to a customer (individual, company) without applying normal banking procedures.

#### 8. Changes in Branch Transactions Indicators

1. Overriding or not implementing the bank's internal control directives or intentional non-compliance with the bank's policies by employees.
2. Increase of money in circulation in large cash notes that does not match with the nature of work, transactions or location of the Branch.
3. Material change in the volume of branch transactions with one or more corresponding banks.
4. Abnormal increase of drafts volume issued by the branch or in its cash deposits.
5. Increase of cashiers cheques or payment orders sold to temporary customers.

- 14- The customer frequently deposits bank checks issued by foreign banks.

#### Customer Indicators:

- 1- The customer avoids disclosing their real identity when executing banking transactions or even providing accurate and precise information required by the nature of the transaction.
- 2- The customer attempts to transfer large sums of money and withdraws for fear of being reported.
- 3- The customer attempts to pressure or coerce a bank employee into not reporting their suspected transaction.
- 4- The customers refrain from providing information about their previous or current commercial activities or banking transactions.
- 5- The bank has doubts about the customer's identity for any reason whatsoever.
- 6- The customers open accounts but have no local address or references (identifiers).
- 7- The customer gives special instructions to execute transactions via fax or telex without any justification for using these means.

#### Bank Employee Indicators:

- 1- The employee exhibits a standard of living disproportionate to the size of the salary he receives from the Bank.
- 2- The employee continues working for a long period of time without taking any vacation time.
- 3- The employee is associated with numerous instructions that raise suspicion while performing his work.
- 4- The employee tries to make it easier for an (individual or corporate) customer to obtain the banking services that the bank provides and ignores the application of the usual banking procedures.

#### Changes in Bank Transaction Patterns Indicators:

- 1- The Bank's internal control instructions are violated or not implemented or there is deliberate circumvention of the applicable banking policies.
- 2- There is an increase in trading transactions using large denominations that are not commensurate with the usual nature of the branch, its operations or its location.
- 3- There is a significant change in the volume of the bank's business with one or some correspondent banks.
- 4- There is an abnormal increase in the volume of transfers issued from the bank or in cash deposits.
- 5- There is an increase in the number of bank cheques or payment orders sold to temporary customers.

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### Appendix-3

#### **EXAMPLES OF BUSINESSES COMMONLY USED FOR MONEY LAUNDERING**

Money laundering can adopt a variety of disguises, but there are certain types of businesses which are more attractive to the launderers. There is also a tendency to use countries with strict secrecy provisions for banks and for companies and which make it difficult to obtain sufficient information to understand the nature and type of business being done. The following guidance provides an insight into what these businesses might be.

##### **1. Shell Corporations**

Legitimate uses of shell corporations often provide anonymity for the beneficial owners who are involved in laundering money. The use of "professional" nominees to act as directors provides further protection for the launderer. Together with the use of accommodation, addresses shell corporations can be very effective vehicles for money laundering.

Types of businesses covered: Potentially any business.

What to Look for: The use of such companies where it appears to be an unnecessary complication; the use of less reputable legal and financial advisers to set up and / or maintain the corporation.

##### **2. Non bank financial Institutions**

By the nature of their business, the receipt and payment of cash will not appear unusual, and some of these businesses will rely upon a casual rather than a regular customer base.

Types of business covered: bureau de change; money changers.

What to look for: Appropriateness of turnover levels, sudden fluctuations in turnover, variations in deposit/payment pattern due to small number of large transactions; large purchases of travelers cheques or money orders resulting in encashments from a variety of countries, or indeed the reverse.

##### **3. Travel Agencies**

Where such businesses operate a bureau de change or travelers cheque facility, and have a pattern of international payments as a norm,

### Appendix (3)

#### **Examples of Activities or Businesses Commonly used in Money Laundering Operations**

Money laundering can take place through different practices, but there are specific types of activities and businesses that are more attractive to money launderers. The tendency is often to use countries that follow the principle of bank secrecy, which makes obtaining sufficient information to know the nature and type of work performed very difficult. The following points illustrate how to use these actions:

##### **1- Legally Covered Company:**

The legal use of these companies usually provides cover for the beneficiary owner who is laundering money, especially if professional bodies are used to manage these companies (such as lawyers, accountants, or bankers) and residential addresses are used for their effective role in camouflaging the money laundering process.

Types of Businesses Covered: All types

What to look for: Companies characterized by a lack of clarity in their objectives or the complexity of their purposes and activities, especially if they are established, managed, or followed up by legal and financial consulting offices that do not have the required level or reputation.

##### **2- Non-bank financial institutions:**

Due to the nature of the business exercised by these entities, which is accepting and paying money, the operation will not seem unusual and some of these businesses rely on extending service to casual rather than regular customers.

Types of Businesses Covered: Exchange Shops

What to look for: Appropriate turnover, unstable or sudden fluctuations in turnover, diverse sources of deposits/payments, and large volume of purchases of traveler's checks or payment orders, which results in an increase in cashing in a number of countries, or quite the opposite.

##### **3- Travel and Tourism Agencies:**

When such agencies carry out money exchange operations, traveler's cheque services, or international payments and the associated deposit and disbursement operations,



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they are attractive both for placement and layering purposes.

What to look for: payments to countries on the "hot list" outside normal pattern; large purchases of travelers cheques resulting in encashments from a variety of countries; fluctuations in transaction pattern out of line with normal business patterns

#### 4. Import/Export Businesses

This sort of business can provide cover for either the placement or layering (through international payments) stages of a money laundering scheme. These businesses are particularly vulnerable where they are small and where they trade in a variety of products, and/or where the supply or distribution end is conducted largely in cash (typically low value items).

#### 5. Precious Commodities

The placement of cash, but more usually layering can be facilitated within businesses where large value transactions are common, and the commodities traded are difficult to value objectively, thereby allowing inflated values to be used to support requests for payments.

Types of business covered: precious metals, jewelry; antiques; fine art galleries.

What to look for: trading patterns with countries on the "hot list" not normally associated with the commodity in question; unusual fluctuations in turnover or types of financial instruments used.

#### 6. Cash driven businesses

The types of businesses that normally accept cash are useful to the launderer at the placement stage, and could also be used for layering purposes.

Types of businesses covered: Used car dealers; garages; corner shops (especially those in some countries who offer cheque encashment facilities); electrical goods stores; leather goods shops; building supplies firms; builders.

What to look for: Increases in cash deposits which do not seem to be matched by increases in businesses; the maintenance of cash flow levels when business is falling off; unusual payment patterns from cash deposits seemingly unrelated to the business concerned.

they will be attractive for the purpose of completing the stages of the money laundering process, such as depositing and layering.

What to look for: Unusual transfers to (suspicious) countries, large purchases made by tourism companies and then disbursed in different countries, changes in operations outside the scope of normal companies' operations, sudden fluctuations in operations in an abnormal manner.

#### 4- Import and export activity:

This type of activity can be a cover for money laundering (via international transactions) or a phase of the money laundering process... These particular activities are usable when they are small in size and used for trading in different products, and/or when the sale and distribution is made on a cash basis (as in exchanges of low value goods).

#### 5- Precious or high value goods:

The deposit phase can be covered by money laundering operations using institutions operating in the field of high-value precious goods, whose transactions are large and difficult to estimate or evaluate the value of the goods sold, allowing the use of excessive values in support of payment requests. Under this item, the trading of gemstones, gold formulas, antiques and works of art such as images are included.

What to look for: Commercial dealings with suspicious countries that are not a known source of the goods in question, sudden and unusual fluctuations in the total movements or financial instruments that are used.

#### 6- Activities with cash dependence:

The type of business that normally accepts cash in its dealings is targeted in the money laundering process at the deposit phase and can be used in the layering process and placed in the regulatory fields.

Types of Businesses Covered: Trade in used cars, repair shops, fast restaurants, electrical stores, leather goods stores, construction stores.

What to look for: The increase in cash deposits not consistent with the increase in the business, maintaining the cash flow rate while the business is declining, unusual deposits that appear not to be relevant to the activity in question.

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## 7. Offshore Financial Services

Many of those laundering operations which have been uncovered have involved the transfer of funds through offshore financial service companies to layer transactions and provide anonymity. Because there is no underlying business against which to test the commercial basis for a transaction it is extremely difficult to detect "unusual" patterns.

Types of businesses covered; trust companies; commodity traders, financial advisers.

What to look for: small operations that appear to have only one or two clients; unusually complex ownership structures; lack of interest in costs incurred in doing transactions; links with countries on the "hot list"; investing in instruments that carry anonymity (e.g., bearer bonds) when uneconomic to do so.

## 7- External commercial services:

Many of the money laundering operations that were discovered were carried out by transferring money through financial services companies registered in "offshore" areas (areas with easy financial business systems) in order to be used in the layering phase. As these operations are difficult to link to business, covering these processes is easy and difficult to detect.

Types of Businesses Covered: Credit companies, goods trade, and financial advisory houses.

What to look for: Small activities with one or two clients, complex unclear ownership, unjustified process and transfer cost paid, correlation with suspicious countries, investment in bearer issued securities such as bonds, especially when it is economically ineffective.



## Declaration

I, *Halah Al-janabi*, hereby confirm that as a professional translator and under contract to RWS Alpha, I have translated and proofread this document from *Arabic* into *English* for PO37397.

Document name: WC\_CTRL\_00000446

I hereby confirm that to the best of my knowledge and capability as a professional translator these are accurate *English* translations of the *Arabic* originals.

Signature:

A handwritten signature in black ink, appearing to read "H. Al-janabi", with a stylized flourish at the end.

Date: April 18, 2024